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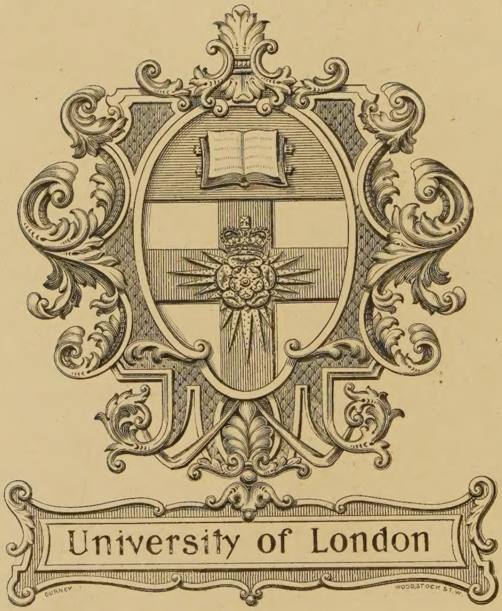

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HANSARD'S

PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

54 VICTORIÆ, 1890-91.

VOL. CCCLII.

COMPRISING THE PERIOD FROM

THE SEVENTH DAY OF APRIL, 1891,

TO

THE FIRST DAY OF MAY, 1891.

Fourth Volume of the Session.

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ERRATUM.

April 16. *Insert* following Questions and Answers :—

THE CLERK TO THE HURSLEY UNION.

MR. CONYBEARE (Cornwall, Camborne) : I beg to ask the President of the Local Government Board whether it is the fact that Mr. John P. Moss, Clerk to the Guardians of the Hursley Union, was, in or about the year 1885, dismissed from his office; whether any and what reason was assigned for such dismissal; was any Departmental inquiry held before his dismissal; and, if not, why was the usual practice of the Board in this respect departed from; was the Department at the time aware that the Chairman of the Union had signed two valuation lists for the same parish differing from one another, but bearing the same date; was this allegation ever brought to the knowledge of the Department; and, if so, was any inquiry held into the matter; and will he now cause a Departmental inquiry to be held into the circumstances above stated?

MR. RITCHIE : I cannot consent to re-open a question which was settled so many years ago. Mr. Moss was dismissed from his office in consequence of the passing of a Resolution by the Guardians of the Hursley Union to the effect that he no longer possessed their confidence. The Local Government Board were satisfied as to the propriety of this Resolution, which was a unanimous one, and they held no inquiry, for they did not consider that course to be necessary.

MR. CONYBEARE : I presume there has been a correspondence on the subject.

MR. RITCHIE : Yes, Sir.

MR. CONYBEARE : May I have an opportunity of seeing it?

MR. RITCHIE : No, Sir; I do not think it is at all necessary. The question was settled 36 years ago, and ought not now to be re-opened.

MR. CONYBEARE : In connection with the office of the Local Government Board, is there any limitation against the redress of injustice?

MR. RITCHIE : No, Sir; none.

HANSARD'S
PARLIAMENTARY DEBATES,

IN THE

Sixth Session of the *Twenty-Fourth Parliament* of the
United Kingdom of *Great Britain* and *Ireland*
appointed to meet 5 August, 1886, in the Fiftieth
Year of the Reign of

HER MAJESTY QUEEN VICTORIA.

FOURTH VOLUME OF SESSION 1890-91.

by Contract with H.M.'s Governm
An Asterisk at the commencement of a Speech indicates revision by the Member.

HOUSE OF COMMONS,

Tuesday, 7th April, 1891.

The House met at Two of the clock.

PRIVATE BUSINESS.

LONDON AND NORTH WESTERN RAILWAY (ADDITIONAL POWERS) BILL.

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

*(2.10.) Sir J. SWINBURNE (Staffordshire, Lichfield) rose to move—

"That this House declines to consider any Bill to give further powers to the London and North Western Railway Company until the said Railway Company has made arrangements with Her Majesty's Government to open a telegraph office for the public at each and every one of its passenger stations."

*Mr. SPEAKER : I do not think that the Amendment of the hon. Member is in order. It proposes to introduce a question of general policy as an objection to a particular Private Bill when the Company promoting the Bill are simply asking for further powers. The course which the hon. Baronet ought to take is to make a Motion for an alteration of the general policy applicable to all railways. There is nothing in this Bill which can fairly raise the question which he desires to introduce. As a matter of fact the Amendment is altogether irrelevant to any part of the Bill, and it would be impossible for this Railway Company to comply with the conditions that ought to be imposed. The initiation does not rest with them but with the Postmaster General, who can exercise compulsory powers in the direction indicated. Under the circumstances, I do not think the Amendment of the hon. Member is in order.

*(2.13.) SIR J. SWINBURNE: Shall I be in order in moving that the Bill be read a second time on this day six months?

*MR. SPEAKER: Yes.

*SIR J. SWINBURNE: Then I beg to move, as an Amendment, that the Bill be read a second time on this day six months; and in drawing attention to the matter I wish to bring the subject of these telegraph offices before the House. When we ask for more telegraphic accommodation we are told by the Postmaster General, from the Treasury Bench, that the entire cost of new telegraph offices must be borne by those who require them. The only way, therefore, to meet the requirements of the public is to secure that all the railway stations shall be converted into telegraph offices.

*(2.14.) MR. SPEAKER: I am bound to say that the hon. Member is now founding an objection to the Bill upon the point on which I have already ruled him to be out of order. He must confine himself to any other objection he may have to urge against the Bill.

*SIR J. SWINBURNE: Then I will refer simply to Clause 34 on page 26, and Clause 37 on page 27. The present Bill proposes to put aside the general law of the country and asks for exceptional powers. By the Lands Clauses Consolidation Act if a Railway Company seeks to take a portion of land or of a building they are compelled to take the whole. The company asks to have this general law of the country set aside, and an exceptional law introduced in their favour. They seek in this Bill to be allowed to take a portion of the property interfered with, and not the whole, and I think that in such a case the public have a right to ask that the Telegraphs Act, which will be affected by this Bill, shall be revised. By former Acts of Parliament the company are allowed to send telegrams free over the Post Office wires, and in order to give the House some idea of the enormous extent to which this privilege is made available I may say that in 1870, the year after the Government acquired the telegraph wires, 5,286 messages were sent by the London and North Western Company over the Government wires without payment, while in 1890 the number was increased 48 fold, having been 245,838. I think, at all events, the time has now arrived, when Railway Companies coming to this House for exceptional powers, should have revised the bargain made between them and the Postmaster General in 1868 for the benefit of the public. I submit that, when the Directors of a Railway Company decline to establish a telegraph office at a railway station——

*MR. SPEAKER: Order, order! The hon. Gentleman is not now speaking to the Amendment, but is again dealing with the question which I have already ruled to be out of order.

*SIR J. SWINBURNE: I beg to apologise to you, Sir, if I have said anything that is irregular. Under the circumstances, I will content myself with moving that the Bill be read a second time on this day six months.

*MR. SPEAKER: Does any hon. Member second the Amendment?

As there was no response the Amendment fell to the ground.

Question, "That the Bill be now read a second time," put, and agreed to.

NEW WRIT.

For Oxfordshire (Mid or Woodstock Division), *v.* Francis William Maclean, esquire, Master in Lunacy.

ARMY AND NAVY EXPENDITURE, 1891-2.

Return ordered—

"Showing the net estimated Expenditure for the year 1891-2 on the Army and Navy; and the provision made for it."—(*Mr. Shaw Lefevre.*)

QUESTIONS.

SCOTCH PRISONS.

MR. FRASER-MACKINTOSH (Invernessshire): I beg to ask the Lord Advocate whether, in the last inquiry regarding prisons in Scotland, none of the warders or officers employed were called for examination; whether in England an inquiry into the grievances of prison officials has lately been ordered; and whether, in these circumstances, he will see his way to granting a thorough inquiry into the grievances of the Scottish prison officials, as also how far the present administration of the Prisons Board of Scotland can be amended in the direction of capacity, economy, and general good management?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): With regard to the first part of the question, I am informed by the Secretary for Scotland that he does not know to what inquiry the question of the hon. Member refers. With regard to the second question, I understand that some inquiry as to the conditions of English prison service is now proceeding; and with regard to the last part of the question, the Secretary for Scotland sees no reason at present for instituting such an inquiry as is suggested by the hon. Member.

PUBLIC HOUSE APPEALS.

MR. FRASER-MACKINTOSH: I beg to ask the Lord Advocate whether in appeals or suspensions of public house and Excise cases, originally prosecuted by the Procurator Fiscal, the services of the Advocate Depute are at the command of the Fiscal; whether the Advocates are paid for appearing in such appeals; and, if so, from what fund; and whether there is any statutory authority for granting costs against appellants in these *quasi*-criminal proceedings?

*MR. J. P. B. ROBERTSON: The answer to the first part of the question is in the negative. Appearing in such proceedings does not form part of the duties of the Advocate's Depute, even when the Procurator Fiscal in the Sheriff Court is a party. But, as a rule, public house cases are instituted by the Procurator Fiscal of the Justices of the Peace, while Excise cases are prosecuted by an officer of Inland Revenue. The expenses of appeals and suspensions in public house cases come out of the county or borough funds; and in Excise prosecutions out of moneys provided by Parliament for the charges of collection and management. The summary Prosecutions Appeals (Scotland) Act, 1875, confers express power on the Court to award costs in cases falling under that statute; and, as regards suspensions, the Court has, I believe, always and without question exercised the right of dealing with expenses by virtue of its inherent powers in such proceedings.

INFANTICIDE.

MR. CHANNING (Northampton, E.): I beg to ask the Secretary of State for the Home Department whether he is aware that the National Society for the Prevention of Cruelty to Children have, in their investigation of baby farming and its attendant infanticide, obtained and could supply to the Home Office, if necessary, a practically complete list of the London and Provincial newspapers which have inserted the advertisements of those who trade in unwanted children; and whether he will issue from the Home Office a Circular Letter to all such newspapers, drawing the attention of the publishers and editors to the improper use of their columns by such advertisements, and to the frequent cases of cruelty and death arising therefrom, and urging them to exclude, so far as possible, advertisements of this nature?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The Society in question have not communicated to me a list; but, as I have already stated in my answer to the hon. Member's previous question on March 23, I do not see my way to interfere with advertisements of the class described. I am doubtful whether such a Circular would have any influence on the newspapers, even if I had the authority to issue it, these advertisements not being, as I have already stated, necessarily illegal.

REGISTRATION OF PARCELS.

MR. WATT (Glasgow, Camlachie): I beg to ask the Postmaster General whether he can now state what decision has been arrived at with reference to the registration of Inland parcels, and the granting of compensation or loss or damage on registered packets; and, if so, the probable date when the same will come into operation?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): In reply to the hon. Member, I am glad to state that I have obtained the assent of the Treasury to a scheme for the registration of Inland parcels and the granting of compensation for loss or damage in respect of registered packets. The scheme will probably come into operation on the 1st June.

FRENCH CONVICTS AND THE AUSTRALASIAN COLONIES.

MR. PRITCHARD MORGAN (Merthyr Tydvil): I beg to ask the Under Secretary of State for the Colonies whether his attention has been called to the apprehension which exists in Australia, especially in the Colony of Queensland, in consequence of the announcement that the Supreme Colonial Council at Paris has recommended to the French Government that "colonising and trading companies in the Pacific shall be allowed to employ convicts;" whether he is aware that convicts are continually escaping from the French penal settlement at New Caledonia and finding their way to the Queensland coast, to the great annoyance and alarm of the residents in the coastal towns, and that some of such convicts are still at large in Queensland; and whether Her Majesty's Government intends to take any, and, if so, what steps to prevent a further influx of French convicts into Her Majesty's colonial possessions?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The attention of the Secretary of State has not been called to any such announcement as is quoted by the hon. Member. His attention was, however, called last year to the allegation that no less than 60 convicts had escaped lately from New Caledonia, but, on inquiries being instituted through Her Majesty's Ambassador at Paris, M. Ribot was able to give the assurance that though 25 convicts had recently succeeded in escaping from New Caledonia, all but five of these had been recaptured. It is hoped that, under existing arrangements, such escapes will be effectually checked; but Her Majesty's Government will at once call the attention of the French Government to any new facts that may be brought to their knowledge.

THE CENSUS.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the President of the Local Government Board whether he is aware that, in filling up the Census Papers, difficulty has been very generally experienced as to the columns headed "employer" and "employed"; whether he can state in general terms, in order to assist the enumerators in completing their work, what is intended to be included in the expressions trade or industry; and whether (to give instances) a stockbroker employing clerks, or a married woman carrying on a farm for her own separate profit or loss, should be marked as "employers," and a bank clerk should be marked as "employed?"

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I am not myself aware that difficulty has been generally experienced in filling up the columns headed "employer" and "employed" in the Census Paper. I may, however, say that the question of the hon. Member comes rather late, inasmuch as the Census Papers have now been filled up by the householder. It is for the householder, and not for the enumerator, to determine whether a particular person comes within the classes referred to. The particular instances, however, mentioned in the question do not appear to me to present any difficulty. A stockbroker employing clerks, and a married woman carrying on a farm on her own account, and employing labourers would clearly be employers, and a bank clerk should be regarded as employed.

MR. COBB: May I ask whether it is the duty of the enumerators to go through the papers, and if they see anything on the face of a Return that is incorrect to return it to the householder so that it may be amended? There is a general impression that that is part of the enumerator's duty.

*Mr. RITCHIE: My own impression is that that is no part of the enumerator's duty to do so. At the time he collects the paper if he sees that there is anything wrong he may have the power to correct it at the time, but I do not think that, having taken it away, he has any power to return with it.

GRIEVANCES OF CUSTOM HOUSE OFFICERS.

Sir GEORGE BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the Chancellor of the Exchequer whether he has yet concluded his inquiry into the alleged grievances of Custom House Officers; and, if so, whether any Report will be laid upon the Table of the House?

The CHANCELLOR of the EXCHEQUER (Mr. Goschen, St. George's, Hanover Square): The hon. Member will find that the Paper has been circulated this morning.

MOTION.

FIRE INQUESTS BILL.

On Motion of Mr. Brookfield, Bill to provide for the holding of Fire Inquests, ordered to be brought in by Mr. Brookfield, Mr. Noble, Mr. Bruce, and Mr. Octavius V. Morgan.

Bill presented, and read first time. [Bill 264.]

ORDERS OF THE DAY.

ELECTORAL DISABILITIES REMOVAL BILL.—(No. 182.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

(2.30.) Amendment proposed, in Clause 2, page 1, line 7, to leave out the word "man," in order to insert the word "person."—(*Mr. Attorney General.*)

Question, "That the word 'man' stand part of the Clause," put, and agreed to.

Mr. T. ROBINSON (Gloucester) rose to move the following new Clause:—

"That the receipt of alms (other than parochial relief) shall not disqualify any person from being placed upon the Parliamentary or municipal list of voters if in all other respects he is entitled."

The CHAIRMAN: The Amendment which appears in the name of the hon. Member is outside the scope of the Bill.

Motion made, and Question proposed, "That the Bill, as amended, be reported to the House."

Dr. CLARK (Caithness): Before the Bill is disposed of I must be allowed to express my astonishment that hon. Friends of mine who, thinking the Bill will do much harm, have placed Amendments on the Paper, are not now in their places to move them.

Question put, and agreed to.

Bill reported; as amended, to be considered to-morrow.

SAVINGS BANKS BILL.—(No. 220.)

As amended, considered.

New Clause—

(Section three of "The Post Office Savings Banks Act, 1874" (which relates to the presentation of accounts to Parliament) shall have effect as if the last day of July were therein substituted for the last day of April,)—(*Mr. Jackson,*)

—brought up, and read the first and second time.

(2.34.) Dr. CLARK: I should like to have an explanation of the reasons which induce the Government to propose this clause. The general impression is that, owing to some bungling upon the part of the Postmaster General and an omission on the part of the officials of the Savings Banks, these accounts are not presented sufficiently early; and, further, that the office is undermanned. I should like to know whether this is the reason why the Treasury are anxious to have the time extended?

(2.35.) The SECRETARY to the TREASURY (Mr. Jackson, Leeds, N.): I have already explained the reason, but probably the hon. Gentleman was not in his place. The object of altering the date is to give a little more time for the presentation of the accounts than that prescribed by the Act. It has been found absolutely impossible to get the accounts sent in by the date named. There have also been difficulties in the past in meeting the increase of work owing to a want of accommodation. The proposed alteration will prevent future delay and inconvenience.

(3.36.) MR. HOWELL (Bethnal Green, N.E.): Surely the last day of June ought to give time enough without going to the last day of July. At present the House of Commons is seldom able to get anything like a Return in time to enable them to discuss it in the current year, and they have sometimes to discuss the Returns when they are two years old instead of being only one year old at the very latest. I hope the right hon. Gentleman will consent to substitute the last day of June for the last day of July, and I beg to move an Amendment to that effect.

Amendment proposed, in line 3, to leave out the word "July," and insert the word "June."—(*Mr. Howell.*)

Question proposed, "That the word 'July' stand part of the Clause."

(2.36.) MR. JACKSON: I hope the hon. Member will not press his Amendment. I do not think the question, whether the date should be June or July, is one of extreme importance, but we have taken the earliest date at which we think the Returns can be supplied. I will undertake that every effort shall be made to present the accounts within the month of June. That is our intention, but we have thought it right to give a little latitude. The date has been fixed after consultation with the authorities of the Savings Banks Department.

(2.37.) MR. CRAIG (Newcastle-upon-Tyne): I feel it my duty to support the Amendment, because I think it most desirable that June should be substituted for July.

The House divided:—Ayes 77; Noes 45.—(Div. List, No. 116.)

Clause added.

*(2.45.) SIR A. ROLLIT (Islington, S.): I beg to move, in Clause 3, page 2, line 10, after "unnecessary," to insert "having regard to the then present and

prospective reasonable requirements of the Bank." The object of the Amendment is to define more clearly the word "unnecessary" when applied to expenditure. Under the measure as it stands the Committee of Inspection would be able to say what expenditure is or is not necessary. I acknowledge that the Chancellor of the Exchequer has done a great deal to meet the wishes of the banks; and I only ask him to go one step further, and to prevent the possibility of a doubt arising as to the interpretation of this clause. Suppose, for instance, new bank buildings are required. Some members of the Committee might look upon the expenditure as unnecessary for the requirements of the moment, but another view would be that the business was capable of development, and that proper care and regard should be had to the necessities of the future. I may mention a case in which considerable loss was sustained owing to the narrower view being taken by the National Debt Commissioners in their interpretation of the word "necessary." It was proposed to erect a new building for the Glasgow Savings Bank, and provision was made for an anticipated large increase of business. The National Debt Commissioners, however, said the trustees were looking too far forward, and a smaller building was decided upon and erected. This was in 1868; but the anticipated increase of business has since taken place, and it is now found necessary to make further provision, with the result that much will have been expended to little or no purpose.. The object of this Amendment is to indicate clearly to the Inspection Committee that the narrow view of looking only at the requirements of the moment is not a correct view in relation to the encouragement of thrift among the people. The introduction of these words can do no harm, and will merely make the matter clearer.

Amendment proposed,

In page 2, line 10, after the word "unnecessary," to insert the words "having regard to the then present and prospective reasonable requirements of the bank."—(*Sir Albert Rollit.*)

Question proposed, "That those words be there inserted."

(2.47.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I think the words proposed by my hon. Friend are really too wide, and altogether unnecessary. Undoubtedly the Inspection Committee would be taking a very narrow view of their duties if they neglected prospective requirements; but this is a matter that may be properly left to the discretion of the Committee, and I hope my hon. Friend will not divide the House. My hon. Friend seeks to open a door which might lead to some rather premature building operations. Very considerable concessions have been made, and I trust the clause will be allowed to remain unaltered.

*MR. TOMLINSON (Preston): There is, undoubtedly, a feeling amongst the trustees of savings banks that the terms of this clause are somewhat harsh, and I should have been glad if the Chancellor of the Exchequer could have seen his way to making some mitigation of this expression. At the same time, I wish to express my recognition of the manner in which he has met the representations made to him on behalf of those who are concerned with the Trustee Savings Banks; and though I could have wished that he could have seen his way to do something towards meeting this Amendment I should not myself be inclined to press it against his opposition.

(2.48.) MR. HOWELL: I am not desirous to prolong the discussion upon this Bill; but I am anxious that no loophole shall be left for actuaries, secretaries and others connected with savings banks to incur unnecessary expenditure such as has been incurred in the past. At the same time the Committee of Inspection will, under the clause, have sufficient power to define what is necessary in connection with these banks, and I think they would take into account the circumstances of a bank such as that at Glasgow, which the hon. Gentleman opposite has mentioned. What we have to guard against is the misuse of the money of the depositors; but I am afraid that what the hon. Gentleman has in his mind is not the interests of the depositors, but the view of the actuaries and managers. I want the Bill to be made as stringent as possible, in order to prevent such a misuse of the funds of the depositors as has been brought to light by inquiries upstairs and outside this House. I hope the Government will stand firm and resist every kind of Amendment that may be brought forward to give additional powers to actuaries and other officers to expend money. I shall certainly oppose this Amendment.

*MR. BARTLEY (Islington, N.): I would press the Government to adhere to the wording of the Bill. The proposed Amendment is quite unnecessary, and would afford a loophole for improper expenditure, which it is most important to prevent.

*SIR A. ROLLIT: I will not press the Amendment.

Amendment, by leave, withdrawn.

(2.50.) Amendment proposed,

In Clause 4, page 3, line 27, to leave out all after "Bank," to end of clause, and insert "and in respect of money invested in the names of the National Debt Commissioners may be deducted by those Commissioners from the interest payable to the Trustees of the Bank on the money so invested, and in respect of money otherwise invested shall be paid by the Trustees of the Bank on the requisition of the said Commissioners."—(*Mr. Chancellor of the Exchequer.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*(2.53.) SIR A. ROLLIT: I quite agree that an Amendment in this clause is necessary, in order that the whole of the invested funds may bear a proportion of the expense; but I would suggest that the words should not be introduced where they are proposed to be inserted, but after the word "Commissioners," in line 28. If not, the effect will be greatly to increase the levy. It is properly proposed to extend the area of contribution, but it is a different matter to make a much larger sum available for expenditure.

Question put, and negatived.

Question, "That those words be there inserted," put, and agreed to.

On Clause 5, which is as follows:—

"If on any Report by the Committee of Inspection or any of its officers any question arises as to what constitute the necessary expenses attending the management of a Trustee Savings Bank within the meaning of Section 2 of the Trustee Savings Banks Act, 1863, the decision of the National Debt Commissioners on the question shall be final."

*(2.56.) SIR A. ROLLIT said: I have given notice of my intention to move the omission of Clause 5, but the banks think the Amendment which the Chancellor of the Exchequer proposes to move will fairly meet the merits of the case. It recognises the obligation to Trustees and others who voluntarily undertake duties which are to encourage thrift among the people; but, on the other hand, the interests of the depositors must not be disregarded. Nothing can be more destructive to thrift than for the poor to find that their savings have disappeared owing to fraud. It is, therefore, desirable that there should be a due audit and inspection of the accounts. At the same time, the banks strongly object to being under a control which may unduly limit their operations. It is now felt by the banks that the Chancellor's and my own Amendments on this section reconcile these points and are conceived in a proper spirit, and do justice to the banks on the one hand and the depositors on the other.

(3.0.) Amendment proposed, in Clause 5, page 3, line 31, to leave out from "Committee" to "officers," in line 32, inclusive, and insert "Inspection Committee."—(*The Chancellor of the Exchequer.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. HOWELL: I am strongly averse to the introduction of anything which, although ostensibly for the protection of the depositors, will really give a latitude to the banks themselves. I feel bound to say that during the five years I have been a Member of the House the banks have never displayed any anxiety to protect the money of the depositors, but have had more regard for their own interests as officials of the banks.

(3.1.) DR. CLARK: I hope that my hon. Friend will give way upon this point. The decision will not be left to the officers of the bank, but to the National Debt Commissioners.

MR. BARTLEY: I would suggest that the words should run: "If on any Report by the Inspection Committee either of its own members or of its own officers."

*(3.2.) MR. GOSCHEN: This is not a question of a Report from the officers to the Committee of Inspection, but rather one of whether the officers may communicate with the National Debt Commissioners without such a Report.

MR. SHAW LEFEVRE (Bradford, Central): I regard the Amendment as one of considerable importance. It enables the officers to go direct to the National Debt Commissioners, and it also enables the Commissioners to override the decision of the Inspection Committee.

*(3.4.) SIR A. ROLLIT: I have already indicated that I have a strong objection to the words as they stand. The Committee of Inspection is to be representative and independent, and it will rest with them as a matter of duty to properly embody and formulate any Report presented to them by their officers, and to forward it to the National Debt Commissioners, if they consider the terms of any such Report justify them in adopting or forwarding it.

Question put, and negatived.

Question, "That the words 'Inspection Committee' be there inserted," put, and agreed to.

*(3.5.) MR. GOSCHEN: I now beg to move the omission of Sub-section 2 of Clause 5, which is—

> "The National Debt Commissioners shall have power to determine what expenses may be deducted by the trustees or managers of a Trustee Savings Bank, in pursuance of Section 29 of the Trustee Savings Banks Act, 1863."

I am anxious to remove any cause of friction, and thus to secure the smooth working of the Bill. I should not have consented to this omission had it not been for the fact that at an earlier stage of the Bill the Government accepted words from the opposite side of the House which will safeguard the interests of the depositors in providing that no application to the National Debt Commissioners for any payment out of the surplus fund shall be entertained unless sanctioned by the Inspection Committee.

That will be sufficient to check any abuses, and I think that it substantially meets the necessities of the case. Some hon. Members may think that I have given way too much, but I was anxious to remove any possible objection, and to secure that the saving banks should be worked in the best manner possible.

Question proposed, "That Sub-section 2 stand part of the Clause."

(3.6.) MR. HOWELL: I am unwilling to take any action in opposition to the right hon. Gentleman if he thinks that he has secured the safety of these banks. Like him, I am anxious that all friction should be avoided, as far as is practicable, between the National Debt Commissioners, the Inspection Committee, and the depositors. My only anxiety has been to ensure the safety of the banks; and it is because I know that the right hon. Gentleman and the Government have at heart the securing of the depositors in that perfect safety which the Act of Parliament was intended to give them, that I rely upon the assurance he has given in regard to this clause. At the same time, I regret to see the sub-section omitted from the Bill, because I think that it constituted another element of safety in regard to the conduct of these banks. I shall not oppose the omission of the sub-section.

(3.9.) DR. CLARK: In giving up this clause the Government have struck out the most valuable part of the Bill, because it was one which enabled some restriction to be maintained on the expenses which are charged. The Trustees will now be able to draw upon a special fund, and in that way unnecessary expenditure may be incurred. I do not see why the National Debt Commissioners, who are responsible for all losses, should not have power to determine what expenses may or may not be incurred by banks in carrying on their business. It is not really banking business at all. They merely take in the savings of the people, and do not lend them out again as other banks do. The money is invested under special restrictions. I will not put the House to the trouble of a Division, but I cannot help expressing my regret that the Government has withdrawn the sub-section.

(3.10.) MR. SHAW LEFEVRE: I differ from the hon. Member, and entirely agree in the omission of the sub-section, which I look upon as dangerous, and opposed to the principle of the Bill. The object is not to give to the National Debt Commissioners or the Government full control over the banks, but to interpose between the Government and the banks an independent Committee who should practically have control. As the matter now stands the Inspection Committee will be an independent authority in coming to a conclusion that there has been unnecessary expenditure, and there is to be no independent authority or power on the part of the National Debt Commissioners to direct the banks to enter into any expenditure which may be deemed undesirable.

Question put, and negatived.

(3.12.) MR. STANLEY LEIGHTON (Shropshire, Oswestry): I have an addition to propose to Clause 5—

"That where a Trustee Savings Bank has, to the satisfaction of the National Debt Commissioners, carried out the law, the trustees and managers of such bank shall be absolved from all responsibility in reference to part transactions of the bank."

*MR. SPEAKER: I do not think that the words suggested by the hon. Member can properly be regarded as an amendment of the clause. They are, rather, a new clause altogether.

MR. STANLEY LEIGHTON: The object of my Amendment is to give effect to the audit, and I submit, as a point of order, that that is relevant as an amendment of the clause.

*MR. SPEAKER: I do not think that it is pertinent to the clause.

Clause 7 (Office of Trustee to be vacated for non-attendance at meetings.)

Amendment proposed,

In page 4, line 17, after "vacant," to leav out from "and," to "reappointed," in line 19, inclusive, and insert, "And he shall not, unless he has in the meantime explained to the satisfaction of the Inspection Committee his absence or the non-performance of his duties be eligible for re-appointment until the expiration of one year from the end of that period."—(*Mr. Chancellor of the Exchequer.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

(3.15.) MR. HOWELL: I am sorry that the right hon. Gentleman has not made a further concession. What does the Amendment mean? Does it mean that a man in Cardiff, if he happens to live near the bank, may sign a cheque or two during the 12 months, and that that fact will constitute him a manager and trustee, capable of looking after the bank? Surely the managers and trustees ought to be required to put in an appearance now and then in order to see that the business of the bank is properly conducted. I fancy that this is simply a method whereby a man's name may be kept on the list of trustees and managers. He may reside at a distance, and yet be able to do some little act as an apology for the due performance of his duties. These banks were established to receive the savings of the poorer classes; and managers and trustees have been placed over the officials of the banks for a specific purpose. My view is that they fail to perform their duty if they do not attend as often as is practicable in order to see that the law is fully carried out. What can be the object of keeping the name of a man upon the list of managers and trustees unless he is prepared to do his duty? In all other instances if a trustee neglects his duty he has to pay the penalty. When the law of 1863 was discussed the right hon. Member for Mid Lothian, owing to pressure from without, established the Post Office Savings Banks as a protest against the action of the trustees and managers of the ordinary savings banks. From all time the trustees have endeavoured to shirk their duty, and here we have another stepping-stone that will enable them to continue in the same course. I hope the right hon. Gentleman will stand firm by the Bill as it is, and if a trustee cannot attend to his duties, let his name be dropped out of the list.

*(3.20.) MR. GOSCHEN: We fully recognise the principle that if one of these trustees has not attended to his duties he is not to remain a trustee. The whole modification now proposed lies in the words "unless he has, in the meantime, explained to the satisfaction of the Inspection Committee his absence or the non-performance of his duties." All that is done is to give to the Inspection Committee power to ascertain whether a satisfactory explanation can be given. I have introduced the general amendment into the existing law in deference to the public wish, that if a man does not attend in the course of a year he shall be ineligible for re-appointment; but there may be circumstances, such as illness or otherwise, which may have prevented him from attending, and, in that case, he ought to be re-eligible.

*SIR A. ROLLIT: I think the hon. Member for Bethnal Green (Mr. Howell) dwelt somewhat too strongly upon the failure of trustees and managers to perform their duty. There have been such cases in the past, and the whole object of the Bill is to limit them in future. Trustees and managers have on the other hand done much for the people, and in the case of numberless banks, they have devoted an infinite amount of time to the discharge of their offices. Under their care and supervision there has grown up a means of saving which but for them would have been altogether impossible. There are other duties to perform of a routine character besides attending meetings, and in connection with them they sacrifice a large amount of time. On the other hand, there are only one or two meetings in the course of the year, and it may happen that one of these gentlemen who may have done good service in other respects, may, from illness, have been unable to attend such meetings. All that is asked is that persons who have done so much for these banks shall be eligible for re-appointment if they can give a satisfactory explanation of the reason of the non-performance of certain their duties.

(3.23.) DR. CLARK: This is another attempt to whittle down the value of this Bill. As the clause originally stood, if a trustee did not attend a single meeting he would be disqualified. That proposal was modified by allowing him to remain if he had signed cheques or performed any duty during the 12 months. It is now proposed further to modify the clause by providing that a trustee who has not attended a meeting or signed a cheque shall remain, if the Inspection Committee are satisfied that his reasons for the non-performance of his duties are satisfactory.

MR. GOSCHEN : It is not to rest with the trustee, but with the Inspection Committee.

DR. CLARK : I think that if a trustee does not attend for a year, and performs no functions, he ought to retire. He can rejoin the bank afterwards. I am afraid that the Amendments the Government are inserting in the Bill will make the measure useless, as far as its original intention is concerned.

MR. SHAW LEFEVRE : I cannot agree that the Amendment will render the Bill useless. It is one of a most limited character, and I cannot see that any possible harm can arise from adopting it. I can imagine cases in which a trustee is unable to attend to his duties for a year, but in regard to which he may satisfactorily explain the reason of his absence.

*(3.25.) MR. BARTLEY : I think it is highly important that we should give the Inspection Committee a discretionary power.

*MR. LENG (Dundee) : I am of opinion that we ought to keep in view the desirability of not deterring gentlemen of influence and business habits from becoming trustees of savings banks. It does not seem to me that any real objection has been brought to bear against the Amendment. It simply gives an opportunity to a trustee to explain, to the satisfaction of the Inspection Committee, the cause of his absence and of the non-performance of his duties. It is quite conceivable that a trustee may be prevented by accidental causes from being able to perform his duty, and he ought not to be shut out from all opportunity of giving a satisfactory explanation. I am afraid that we are indulging in a little hypercriticism ; and when the responsible Government are endeavouring to avoid possible friction I think they ought to receive more support.

(3.27.) MR. COURTNEY (Cornwall, Bodmin) : I am not quite clear that the words proposed to be inserted will carry out exactly what the Chancellor of the Exchequer means. My doubt turns on the words "in the meantime." If in the course of 12 months the trustee has not attended or performed his duties the office is to become vacant, unless "in the meantime" he has given a satisfactory explanation to the Inspection Committee. Now, I submit that the words "in the meantime" would cause that office to terminate until a re-appointment took place. I presume it is intended that if the trustee makes a satisfactory explanation during the 12 months he is to be eligible, otherwise, according to the natural interpretation of the words "in the meantime," there must be a vacancy in the office, and he must at some subsequent time be re-appointed. Moreover, the vacancy must be notified to the National Debt Commissioners. I would suggest that the words should be "unless he has during that period."

(3.30.) MR. GOSCHEN was understood to say he would look into the matter, and have any defect rectified in another place.

Question put, and negatived.

Question, "That those words be there inserted," put, and agreed to.

*MR. C. S. PARKER (Perth) : I beg to move the Amendment which stands in my name.

Amendment proposed,

In Clause 10, page 5, line 2, at end, to insert "Provided that nothing in this sub-section shall prevent the continuance of special investments in behalf of any person who is already a depositor under section sixteen of the Trustee Savings Bank Act, 1863."—(*Mr. C. S. Parker.*)

Question proposed, "That those words be there inserted."

MR. GOSCHEN : I accept the Amendment.

MR. SHAW LEFEVRE : Will this Amendment permit the continuance of special investments? Some of the special investments take the form of mortgages, and there are persons who think it is desirable they should cease.

Are we to understand these mortgages are to be allowed to continue?

*MR. C. S. PARKER: Perhaps as the Mover of the Amendment I may be allowed to reply to the right hon. Gentleman. This is a proviso to the sub-section only, and, therefore, it leaves operative all the other sub-sections, and amongst them that which prevents the continuance of investments in land. There are a large number of my constituents who have at present special investments not amounting to £50, and all I ask is that we should not disturb that existing state of things. It is a small affair, and I am grateful to the Government for accepting an Amendment which will beneficially affect a large number of the working classes in the City and County of Perth.

Question put, and agreed to.

(3.46.) MR. HOWELL: I hoped I might induce the House to make some little advance in regard to the amount which might be deposited in these banks. While desiring to increase the stability of these banks I have always recognised the fact that there is a growing disposition on the part of many depositors to increase their little savings, and I believe the limit as fixed many years ago is now too small. The Government of 1882, I think, actually carried a Bill in this House for the purpose of increasing the limit, and increasing it beyond what I propose. Surely we ought not to go back on what was proposed at that time. We ought to afford greater instead of fewer facilities for thrift among the working classes. This does not merely affect Trustee Savings Banks, but also the Post Office. In my opinion, Trustee Savings Banks will be immensely benefited. Supposing they always do their duty, if you give them a larger margin in order to meet the expenses, many of them that cannot now be said to be in a state of absolute solvency would be able to put themselves in a position of solvency. It cannot be said the amount of interest is any obstacle to this increase, because the interest is now reduced to a minimum. The great objection to any increase comes from the poor bankers. Surely the Government need have no fear of danger if the working classes had an opportunity of investing £60 instead of £30 in any one year. There is a very peculiar state of things at present. If a man owing to any cause draws out £60 at the earlier part of a year he is unable to re-invest a similar amount during the year: no trustee or Post Office Savings Bank could receive more than £30, and that is supposed to be an encouragement of thrift. The poor bankers of the country will not undertake to receive the small sums deposited in Post Office and Trustees Savings Banks, or, if they do, instead of giving interest they charge something for keeping the account. I find some gentlemen do not object to the increase in the total deposit from £150 to £200 if the extra £50 is interest. Why should the increase not be capital if a man has it? I am sorry to have to refer to the fact that the Chancellor of the Exchequer seems to be terribly afraid that the Government of the country would be placed in some difficulty if it had an enormous number of millions sterling belonging to the working classes placed at its disposal. I fail to understand the danger of such a state of things, indeed I think it is a state of things much to be hoped for. If the House will not accept the whole of my proposal, I hope they will permit a man to deposit in any one year £60 instead of £30. At any rate, I appeal to the Chancellor of the Exchequer, who has shown some sympathy in this matter, whether provision cannot be made whereby a man who draws out, owing to some accidental circumstances over which he has no control, £50 or £60 in a year, may, if he is able to do so, re-invest in the course of the same year a like amount. I do not see how this would be a disadvantage to the banking interest of the country. I think we should really be increasing the clients of the bank. Any man who had £300 or £400 would, no doubt, feel himself man enough to apply to a commercial bank where he could possibly be better served for general commercial purposes than he could by the savings bank or the Post Office. I beg to move the Amendment which stands in my name.

Amendment proposed,

In page 6, line 7, to leave out the words "two hundred pounds," and insert the words "in any one year the sum of sixty pounds, and not exceeding in the whole, inclusive of interest, the sum of four hundred pounds."—(*Mr. Howell.*)

Question proposed, "That the words 'two hundred pounds' stand part of the Bill."

(3.45.) MR. SHAW LEFEVRE: As to the total deposit I do not think the suggestion of my hon. Friend is of very great importance, considering that now after the £200 has been deposited it is open to invest £300 through the Post Office or savings banks in Consols or other security. But the proposal as to the amount which may be deposited in any one year appears to me to be very important. Many of those, including the late Mr. Fawcett, who were connected in past times with the Post Office, have come to the conclusion that the annual minimum ought to be increased. I can see no possible objection to the proposal, and I trust the Chancellor of the Exchequer will see his way to yield on that point. I believe that officers of the savings bank not unfrequently point out to depositors a way in which they may evade this special provision. They tell intending depositors they have already deposited the amount allowed, but they may deposit another £30 in the name of the wife or of one of the children. I know cases in which persons have withdrawn £40 or £50, and desired to re-invest it in the same year, but have not been allowed to do so. The point raised by my hon. Friend does not affect the private banks or the Chancellor of the Exchequer, and, therefore, I hope the Chancellor of the Exchequer will give way.

*(3.49.) SIR A. ROLLIT: I hope the Chancellor of the Exchequer will favourably consider the Amendment. The practice does exist of investing money in the names of various members of a family. I do not regard that as an evasion. On the contrary, I know it is frequently a mode of inducing the younger members of a family to commence being depositors. There was a time when probably the limitation was justifiable, because when savings banks were instituted the State gave bonuses for thrift. But for some time that rule has ceased to exist with the successive reductions of interest, and the State is now practically the gainer. In view of the immensely increased earnings of the people, is it not right that the facilities for saving should be increased? Our duty is to cultivate that habit of saving which these banks are intended to foster; and, according to the reports of the banks, the largest savings are those which have been of long and gradual accumulation. I hope that facilities will be afforded for the increase of the amounts of deposits. Mr. Lyulph Stanley, a severe critic, in the evidence he gave before the Committee, said, "I shall be glad to see the limit raised to £300." And he said also, in answer to another question, "I should not call £300 a very high maximum." The maximum proposed by the hon. Member opposite is something more than that; but it is, I think, a very moderate limit, having regard to the change of conditions that has taken place. One argument with regard to the bankers has, I think, been answered by themselves, because I remember the hon. Baronet the Member for the University of London (Sir J. Lubbock) saying that the savings banks were of advantage to them. The savings banks in Rochdale were the pioneers of the co-operative movement in that town, and there is no other town which presents the co-operative movement in a more successful aspect. I believe that in the end the bankers will gain as much as the community by the raising of the maximum.

*(3.52.) MR. GOSCHEN: The hon. Gentleman has divided his Amendment into two parts, one dealing with the increase of the permanent maximum, and the other with the increase of the maximum of the year. Let me first remark that if the position of the working man in regard to the amount that may be saved is different from what it was 30 or 40 years ago, the facilities for investment are far greater. I can understand the evidence given by officials of the Post Office and others in this matter. The more business the Post Office transacts, the better satisfied the officials are; they are very ambitious to extend its transactions. As Chan-

cellor of the Exchequer, I am bound to say that, although it is an advantage that there should be these deposits in the banks of the State, and that large numbers of the working classes should be interested in the stability of the State, there are limits to the amount which ought to be held by the Government. The Post Office holds now £110,000,000 of deposits, and an advance from £200 to £400 would be very large, and might attract to the Post Office people who cannot be considered to belong to the working classes at all. I am bound to say that the terms given by the State of 2½ per cent. are higher than it would be right to grant to persons other than those in whose thrift the State is specially interested. To extend the limit would be very costly. We have given very handsome terms, but these terms ought to be strictly limited to the classes for whom they are intended. With regard to the annual deposit, I shall be prepared to consider whether a sub-section cannot be introduced in another place to provide that in hard cases of sudden withdrawal the depositor shall be allowed, as has been suggested by the right hon. Member for Bradford (Mr. Shaw Lefevre), to replace the amount withdrawn. But a current account cannot be kept on the terms we are now granting in regard to these deposits. As the House has been reminded by the right hon. Gentleman, the deposits can be invested in Stock at 2¾ per cent. On the whole, as Chancellor of the Exchequer, I am adverse to any measure which would largely increase the already gigantic amount standing to the credit of depositors in the hands of the National Debt Commissioners, and on which the Government is bound to pay large interest.

Mr. HOWELL: I will adopt the view of the right hon. Gentleman.

Amendment, by leave, withdrawn.

Amendment proposed, to leave out the words "two hundred pounds," and insert the words "in any one year the sum of sixty pounds."—(*Mr. Howell.*)

Question proposed, "That the words 'two hundred pounds' stand part of the Bill."

(3.59.) Mr. SHAW LEFEVRE: I wish, Mr. Speaker, to ask whether you can put the Amendment in two parts so as to raise the two questions? If you would first put the part up to the words "in any one year a sum of £60," and that is agreed to, the House can afterwards divide on the second part.

*Mr. SPEAKER: Does the hon. Member for Bethnal Green withdraw his Amendment?

Mr. HOWELL: If it will facilitate matters I shall be glad to do so. I wish the Chancellor of the Exchequer would go a little further, though I admit he has endeavoured to meet me to some extent. But I ask leave to withdraw my Amendment.

Amendment, by leave, withdrawn.

Amendment proposed, in page 6, line 7, after the words "two hundred pounds," to insert the words "but may receive in any one year the sum of sixty pounds."—(*Mr. Shaw Lefevre.*)

Question proposed, "That those words be there inserted."

(4.3.) Mr. WINTERBOTHAM (Gloucester, Cirencester): I think the Chancellor of the Exchequer carried the House with him in his argument on the aggregate amount to be allowed to stand in any one name, but I did not hear from the right hon. Gentleman any argument to sustain the objection to allowing a depositor to attain more quickly this maximum amount. When a man is in good work and receiving good wages it is quite possible he may be able to attain this desirable limit of £200 in a shorter time than the yearly amount provided now will allow, and I cannot see how the State would be damnified by his so doing. I should be glad if the right hon. Gentleman could see his way to allowing the aggregate amount to be reached at the rate of £60 a year. There are many mechanics who when in full work earn from £2 to £5 a week, and are quite able to put by 25s. a week, and in three years, or a little more, could accumulate £200. I hope the right hon. Gentleman will recognise this.

*(4.5.) Mr. GOSCHEN: I am sorry I do not find myself able to meet hon. Gentlemen on this point. In a case where a man is so fortunate as to save

more than this amount, it is open to him to invest his money in Consols where there is not the same limitation. My objection is that by carrying the limit beyond that laid down you increase the operation of the savings banks for a large class for whom these facilities were never intended. These banks are intended for the encouragement of thrift among the working classes. If a man has more savings to invest than £30 in one year, then it is open to him to invest in Consols where he gets larger interest with quite as good security as the savings banks.

(4.6.) Sir G. TREVELYAN (Glasgow, Bridgeton): I do not think the Chancellor of the Exchequer quite meets the case of the working man who uses the machinery of the savings banks for investment. There are classes of working men whose gains in the year vary almost as much as the profits of traders. Fishermen, for instance, may have much larger gains at one time than at another, and to these men, who are accustomed to use the savings banks for their savings, it will be a difficult operation to go through the form of investment in the funds.

Mr. GOSCHEN: But the machinery is provided by the Post Office Savings Banks, and by this a man can invest the smallest amount, and the whole thing is arranged for him at a trivial charge.

*Mr. SPEAKER: The right hon. Gentleman's Amendment follows after the "two hundred pounds?"

Mr. SHAW LEFEVRE: Yes, Sir; it is better to retain those words, and then I propose the insertion of the words.

*(4.11.) Mr. MOWBRAY (Lancashire, Prestwich): I think, Sir, the difficulty found in putting the Amendment shows the inconvenience of raising the question in this manner. As has been pointed out, this clause refers to the limit of the aggregate amount which I understand the right hon. Gentleman the Member for Bradford does not desire to increase beyond the amount provided for in the Bill. But I venture to think that if we are now going to alter the sub-section of a clause which deals with the aggregate amount in order to deal with another point, that is the amount of annual investment, we shall get into great confusion. It will be necessary, if we insert the Amendment in this shape, to make an alteration in the Preamble to the clause, and to make an alteration in the Schedule with regard to the repeal of the existing section of the Act of 1863. I think the difficulty we are under shows that it will be wiser to accept the suggestion of the Chancellor of the Exchequer that this question should be left over in order that it may be raised in a manner in which it can be satisfactorily dealt with in another place, and with the intention of meeting as far as possible the object the hon. Member for Bethnal Green (Mr. Howell) has in view.

*(4.8.) Mr. BARTLEY: No one can accuse me of not wishing to promote thrift among the working classes if I oppose the Amendment; but candidly I must say I think it would be unwise to allow Post Office and trustee banks to increase this amount. People who desire to invest larger amounts may, as the Chancellor of the Exchequer says, avail themselves of Consols or other stock where they have good security. A man and his wife are allowed to invest £400, and where there are five members of his family, the family can invest £1,000, which is independent of all fluctuations incident to the financial position of the country. I think the State has done all that can reasonably be expected, and, beyond this, I think investments should be subject to the ordinary fluctuations of commerce. I hope that the right hon. Gentleman will not consent to this change being made. To do so will alter the object of the Bill materially. It forms no part of the Bill, the object of which is to make savings banks safer and prevent some of the difficulties they have fallen into, and we shall be travelling outside the lines of the Bill if we insert this Amendment.

(4.10.) The House divided:—Ayes 74; Noes 113.—(Div. List, No. 117.)

Other Amendments made.

Mr. GOSCHEN: I hope the House will now agree to take the Third Reading.

Motion made, and Question proposed, "That the Bill be now read the third time."

MR. SHAW LEFEVRE: I offer no objection to that; but I think we may now ask the names of the Commissioners who are to be appointed under the Bill.

MR. GOSCHEN: I have already stated the names.

(4.23.) MR. HOWELL: I quite agree to the Third Reading being taken now, and I am very glad the Bill has reached that stage. But may I remind the right hon. Gentleman there is still his promise that in another place an attempt shall be made to insert a provision whereby a depositor who makes a withdrawal may make up the amount of such withdrawal in the course of the year. I hope this will be provided for.

*(4.24.) MR. LENG: I desire to emphasise this appeal of my hon. Friend. I know that among the depositors in the bank with which I am connected there is a very strong desire on this point that the limit of £30 should be *plus* the replacing of the amount that may be drawn out to meet the needs that may arise in families resulting from death, or marriage, or the starting of a son or daughter in life. It is a great convenience to draw out £10 or £20 to meet such emergencies; bu a depositor might well be allowed to replace such amount as the year goes on.

MR. GOSCHEN: I will do my best, and I have no doubt I shall be able to devise some sub-section to meet the point.

(4.25.) DR. CLARK: I hope the other House will adopt the recommendation of the right hon. Gentleman. I raise no objection to the Third Reading, though I think we do not want these trustee savings banks at all. We shall have the two systems of trustee banks and Post Office banks in competition. I know we are trying to get rid of the notion that the State is security for depositors; but the popular belief is, and will be, that the Government are security. Now that we have the Post Office Savings Bank system, I do not think that these trustee banks are required. I make an exception in such cases as the Glasgow Bank, which performs very useful functions; but, economically, there is an inconvenience, and even danger in all the small savings being drawn away to the central towns.

*(4.26.) SIR A. ROLLIT: I cordially support the Third Reading, and take the opportunity of thanking the Chancellor of the Exchequer for the courteous consideration he has given to the suggestions which have been made on either side of the House. I join in the hope that the point in reference to withdrawals will be satisfactorily dealt with in another place, and I hope the question I raised on the contribution clause will not be overlooked, for the maximum of expenditure is greatly raised by the clause as amended by the Chancellor of the Exchequer.

(4.26.) MR. SHAW LEFEVRE: I heartily support the Third Reading. It is highly probable that the tendency of the Bill will be to displace the smaller savings banks in country districts, while it will not interfere with the larger banks which do useful work in Glasgow, Edinburgh, and elsewhere. The progress in the towns I have mentioned shows there is room for these larger banks as well as for the Post Office banks. Since 1861 the increase in the annual deposits in the trustee banks in Glasgow and Edinburgh has been from £1,000,000 to £3,600,000, and during the same time the increase in the Post Office banks has been £190,000. These figures show the utility of the banks I have mentioned, and the effect of the Bill will not, I trust, be to interfere with the progress of these large banks, though probably it will be to reduce the number of smaller banks, not carried on to such advantage.

Question put, and agreed to.

Bill read the third time, and passed.

PUBLIC HEALTH (LONDON) LAW AMENDMENT BILL.—(No. 231.)

SECOND READING.

Order for Second Reading read.

*(4.29.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The House will observe that there are two Bills dealing with this subject, the

first of which is an Amendment Bill, the second a Consolidation Bill. I hope that, as was done in the case of the Housing of the Working Classes Bills of last Session, these two Bills will be referred to a Standing Committee, and discussed in a businesslike manner. The state of the law in regard to public health in London is very unsatisfactory. Whereas the law as to public health in the provinces has been amended and consolidated by the Act of 1875, the public health law of the Metropolis is scattered over a number of Acts, beginning with Michael Angelo Taylor's Act of 1817, and is contained in 29 separate statutes. There can be no doubt that such a condition of things is greatly to the disadvantage of the public health of London. It enhances the difficulties of the Local Authorities and prevents them from carrying out the provisions of the law as they would desire to carry them out. It is probable that the Local Authorities are often blamed for not discharging their functions in matters affecting the public health as efficiently as they ought to do, when as a matter of fact it is the Statute Book which is to blame. The Consolidation Bill before the House consolidates the whole of the Public Health Acts, but the Bill is not absolutely a Consolidation Bill, because it does this—wherever the clauses in the existing law are of a similar character to the clauses of the Public Health Act of 1875 the provisions of that Act have been adopted in the Consolidation Bill. Certain Amendments, then, are proposed to be made in the existing law, but I do not think they are Amendments which are likely to create much criticism, or which cannot easily be disposed of in Committee. As there has been some misapprehension with regard to Clause 61, I would point out that under the present law the Sanitary Authorities may contract with the managers of the Metropolitan Asylums Board for the provision of hospital accommodation. In that case the Sanitary Authorities are liable for expenses to the Asylums Board, but the patients, or those responsible for their maintenance, can be made to pay in cases in which the Sanitary Authority thinks them able to do so. The only alteration which the Bill before the House makes is to extend this provision to hospitals which are built by the Sanitary Authorities, so that in that case also the cost of the patients may be recovered. We propose, however, not only to consolidate and simplify the law, but also to very largely amend the law with regard to public health in London. Last year I sent round to the various authorities in London the proposals with regard to consolidation, and those authorities went carefully into the matter, and made suggestions which the Government have found themselves largely in a position to adopt; and I have to express my obligation to those bodies, as well as to the London County Council, for the assistance they have rendered to the Department over which I have the honour to preside. The Amendment Bill, in the first place, greatly strengthens the law both as to the prevention and definition of nuisances. The Bill provides for the immediate abatement of a nuisance, not only where it is actually proved to be injurious or prejudicial to health, but also where it is dangerous to health. At present only the persons affected by the nuisance or the Local Authority can move in the matter, but the Bill provides that any person may give information of a nuisance with a view to its removal, and under these provisions any person found guilty of allowing a nuisance to exist will be held responsible for doing any work necessary to abate it. The House will see that to require the work necessary to be done to be specified, as at present is the case, may easily give rise to delay and appeals; but where a nuisance ought to be summarily and quickly abated it is very desirable that that should not be so. If the charge is considered by the Magistrate to be proved, the author of the nuisance will be held responsible for doing whatever may be required to abate it. The Bill also imposes—and this is new—on the London County Council the duty of making bye-laws for the cleansing of streets and the prevention of nuisances. It is thought that these matters will be much better dealt with by a body representative of the whole of London, and it is quite clear that the County Council is the proper body. This will throw upon the County Council the duty of making bye-laws to put a stop to a particular nuisance as to which considerable complaint has justly arisen, namely, the throwing of salt on the streets of the Metropolis in snowy and frosty weather. Great evil arises from that cause during the winter, and we think it very desirable to deal with the matter. The Bill next deals with offensive trades, and several Amendments of an unimportant character are introduced, one of them being to do away with the distinction at present existing between slaughter-houses and knackers' yards. All these places will be put under the same Local Authority. There is one very important Amendment in the law which we make with regard to the proceedings of Sanitary Authorities. The House must be aware that many complaints are made by persons residing in the Metropolis of nuisances alleged to be caused by the Sanitary Authority themselves. These complaints are of a two-fold character. One is that the Sanitary Authorities carry on offensive operations at wharves and other places where refuse is deposited, and the Bill includes these operations in the category of offensive trades, so that the Local Authorities will be compelled to take every practicable means to reduce any offensive effluvia or nuisance which might be created by the removal of refuse. The Local Authorities will be liable to prosecution if they fail to avail themselves of such means. The second is generally known as the destructor nuisance. The Bill provides that where a Sanitary Authority causes a nuisance, or does anything injurious or dangerous to health, it may be prosecuted, and all the provisions as to nuisances shall apply. Destructors to destroy refuse brought from the area of one authority are sometimes situate within the area of another authority, and we propose to prevent nuisances arising from this operation by the means I have stated. With regard to the smoke nuisance, at present both the Sanitary Authorities and the Commissioner of Police are charged with the enforcement of the law. It is thought that this dual authority is not a good thing, and therefore it is proposed to intrust the carrying out of the law to the Local Authorities; and in the case of nuisances arising on the River Thames to the Port Sanitary Authority. As to scavenging and cleansing the streets, particularly after a fall of snow, the law at present is that the occupier, or, in the case of empty houses, the owner is liable to keep the footway and the water course in front of his house properly swept and cleansed. It has been maintained that this is a duty which should be undertaken by the Local Authorities; but I am not disposed to agree altogether with that view, and I do not propose to relieve individuals of the duty which thus falls on them. In my opinion, if such a heavy additional duty were cast upon the Local Authorities, it would be almost impossible for them to carry out the law, and render the last state of things worse than the first. If the occupier does not perform his duty after a short interval, it will be performed for him by the Sanitary Authority, and the cost may be put upon him; besides which, he will be also liable to a fine for the non-performance of his duty. Another difficulty which will be got rid of by casting upon the Sanitary Authority the duty of keeping the streets clean is that in connection with empty houses, and squares, and gardens. Nobody can fail to be struck, after a fall of snow, with the numerous cases in which a large amount of pavement is left untouched for days and days; and in nine cases out of ten this is in connection with unoccupied houses or gardens and squares. Clearly it should be the duty of the Sanitary Authority to see that this state of things should not exist; and they are now given the power, and the duty is imposed upon them of either enforcing the performance of the work by the person who is liable, or of doing the work for him and making him pay wherever it is possible to do so. With regard to streets, the Bill requires the Sanitary Authority to perform its duty of sweeping and cleansing, and the Sanitary Authority is made liable to a fine if it does not perform its duty as far as is reasonably practicable. If an occupier is bound under a penalty to perform the duty which is cast upon him, for my own part I think that there is a corresponding duty towards the occupier on the part of the Sanitary Authority, and that the same method of enforcing the duty should be applicable with regard to the Local

Authority as against the individual; and, therefore, we provide that a penalty shall be imposed in case of neglect.

*Mr. KELLY (Camberwell, N.): To whom will the penalties go, and who is to receive them?

*Mr. RITCHIE: I will come to that point later on. The next point in the Bill is as to the removal of house refuse. The duty of the Local Authority in this matter is at present an implied one; but the Bill will make it perfectly clear, any default subjecting the authorities to prosecution and fine. The Bill does not set out a period within which the removal must be made; but the Sanitary Authority will be bound to fix some proper and reasonable period for clearing away dust and house refuse, and they will be liable to a fine if, proper notice being given, they do not at once comply with the request of the occupier. The Bill also provides for the proper regulation and examination of sanitary conveniences, and for seeing that they are properly constructed and in proper order. The next portion of the Bill deals with the question of unsound articles of food. We propose to extend the existing law, which applies only to particular articles and to those who expose such articles for sale. This Bill applies to every article used for food, and gives power both of search and destruction. We propose to apply the existing enactment to every article of food, and we punish the sale as well as the exposure. By the law as it stands at present it is only the individual who exposes the article for sale who is punishable by law. We now propose to make the person from whom the food is bought, as well as the person selling it, punishable for the offence. Then comes the question of proper water supply to houses. In my opinion a house without a water supply is a nuisance, and we now declare that the being without a proper supply is a nuisance that renders a house unfit for habitation, and the Bill absolutely prohibits a new house from being occupied until the Sanitary Authority shall have certified that there is a proper supply. We further strengthen the law with regard to polluted sources of water. We also amend the law with regard to infectious diseases. The provision of the present law with regard to disinfection is entirely permissive. We propose to make it the duty of the Sanitary Authority to provide proper premises for disinfecting bedding, clothing, &c., and also vehicles for carrying these articles to and fro. I am sure the House will see that unless some proper provision be made in this direction, it will be impossible to carry out the Act which the House has recently passed with regard to infectious diseases. We think it right that it should be in the option of the Local Authority whether they shall make a charge for the performance of this duty or not. Obviously there are many cases where it is right that there should be no impediment to the carrying out of such an important matter as disinfection. We also provide that the Sanitary Authority may relieve poor persons by disinfecting, not only bedding and clothing, but also their houses free of charge. Representations have been made to the Local Government Board, especially from Maidstone, as to persons picking fruit who have been found manifestly suffering from infectious disease. It is eminently desirable to prevent a person suffering from an infectious disease from handling articles of food at all, and, therefore, the Bill imposes a penalty upon anyone milking, picking fruit, or otherwise engaging in an occupation connected with food who knows himself to be suffering from an infectious disease. We propose that the Sanitary Authority may make a reasonable allowance to a poor person if he be taken away from his occupation on this account. In order to avoid what may be very considerable hardship, the Sanitary Authority may, at their discretion, give what they think right and just without the person having to apply to the Guardians. We also propose, with regard to the notification of infectious diseases, that the Return of cases of those diseases required to be sent by the Metropolitan Asylums managers to the County Council shall be sent by them to every Sanitary Authority in London, and to the London School Board and to the managers of every public elementary school in London. With regard to mortuaries we provide that Sanitary Authorities must erect them, either separately or in combination. At present the law is only permissive, and considerable scandals have arisen in this respect. Every Sanitary Authority must also, if required by the County Council, provide a building for *post-mortem* examinations. One very important matter with which we deal in this Bill is the question of underground or cellar rooms. No one who has any knowledge of the conditions under which poor persons exist in these rooms can fail to be aware of the enormous disadvantage to the public health which arises from the condition of many of the rooms at present occupied. The law on the subject has been modified from year to year, and has been considerably strengthened with the view of doing away with the evils acknowledged to exist in this respect. But the law in London still remains far behind that which prevails in the provinces. By the Public Health Act of 1875 very stringent regulations were made to secure ventilation, &c. In London, however, so far as underground dwellings are concerned, the provisions with regard to the preservation of health are comparatively few and weak. By this Bill ample provision is made with regard to height, drainage, and ventilation. Our proposal is to apply to underground rooms the principal provisions of the Public Health Act of 1875, and also some additional provisions. Then there arises the question as to whether these provisions should apply only to new buildings. The Local Government Board have received many representations, both from the London County Council and from London Vestries, requesting that any provisions which are made shall be applicable to buildings both old and new. Looking at the legislation which has been passed in this matter, we do not think we should be justified in perpetuating the exemptions which exist at the present time. Therefore the proposals in the Bill will apply to all underground rooms, with the reservation that the London County Council may, by general regulations or on the applications of the owner of particular rooms, dispense with or modify the provisions as far as they involve structural alterations, having due regard to the necessities of the case. The Bill also amends the law where it is at present undoubtedly faulty. It provides that where two or more underground rooms are occupied together they shall be considered by the law to be separately occupied. It has been shown that the existing law has been interpreted to be that, in order to bring rooms within the law, each room must be separately occupied, and thus the occupier of two rooms escapes. The provisions with regard to underground rooms will not apply to cases where an underground room merely forms part of the premises in occupation. It is also necessary to strengthen the means by which the law affecting the public health is enforced. One of the proposals of the Bill refers to the Inspectors of Nuisances and Medical Officers of Health. Means are provided by which an adequate number of proper persons shall be appointed as Inspectors of Nuisances, henceforth to be called Sanitary Inspectors. Complaint has been made that the number of these Inspectors in some parts of London is not nearly adequate for the area over which they exercise their jurisdiction, and it is quite impossible for the Sanitary Authorities to carry out the law unless they have a sufficient staff of Inspectors. The Bill provides that the Local Government Board, if satisfied, on the representation of the London County Council, that a Sanitary Authority has not appointed a sufficient number of Inspectors, may order that Sanitary Authority to appoint as many more as may be deemed necessary. It is also provided by the Bill, with a view to secure fit and proper persons as Inspectors, that their appointment shall be subject to the regulations of the Local Government Board; and with regard to the Medical Officers of Health and Sanitary Inspectors, it is provided that they shall be removable by the Sanitary Authority only with the consent of the Local Government Board. This provision has been asked for from many quarters, and there is much force in the argument that, unless these officers are to a certain extent independent of the Local Authority, they cannot perform their duties with absolute freedom. There is a precedent for this in the Scotch Local Government Act. It is said, "Will your law be carried out?" I believe that the action or inaction of the Sanitary Authorities has been very largely caused by the complexity of the law with regard to the public health; and the mere simplification of the law will enable the authorities to perform their duties in a much more efficient manner. I am greatly encouraged in this belief by the action of the Local Authorities under the Housing of the Working Classes Act. It is a matter for congratulation that in London the Local Authorities have almost with one accord endeavoured to make the best possible use of the powers given them by Parliament last year. Undoubtedly, however, it is the duty of the Local Government Board to take some guarantee for the due performance of the duties imposed on the Local Authorities. I have already said that the Sanitary Authorities, just as the individual, are liable to be fined for the non-performance of their duties. The Bill provides that the London County Council may prosecute the Local Authority, and also that the Local Government Board may, on complaint by the London County Council that the Local Authority is neglecting its duty, and after satisfying itself that the complaint is just, make an order fixing a limit of time within which the duty must be performed; and, if it be not then performed, may transfer the duty from the Local Authority to the County Council. It has been represented that some Local Authorities regard this provision as an attack upon themselves. Such a view arises from a misapprehension of the existing law. With regard to the prosecution of offenders, the existing law is that any aggrieved person may prosecute. Therefore the Bill is only placing the London County Council in the position of every private individual in the Metropolis. So with regard to the non-performance of duty by the Sanitary Authority. At present in London any person may make complaint against the Sanitary Authority to the Local Government Board, and the Local Government Board may hold a local inquiry, and if satisfied that the complaint is just, they may appoint persons to perform the duty which ought to have been performed by the Sanitary Authority. They may, under that law, appoint the London County Council; but we make a modification of the law in favour of the Vestry. We say that in future it shall not be in the power of any individual to put the Sanitary Authority to all the trouble of a local inquiry; but, that when a complaint is made to the Local Government Board it shall be made by some properly constituted authority. We say that the London County Council must satisfy themselves that the Local Authority has made default in the performance of their duty before the Local Government Board can be set in motion. It is needless to say that in many matters the London County Council have already very extensive powers. They are the absolute authority in regard to the disposal of sewage, and under the Housing of the Working Classes Act of last year they have large power of interference where the Local Authority does not carry out the Act. It seems to me right and proper that in regard to the great question of public health in London, the County Council ought to be charged with the performance of duty, which, in the opinion of the Local Government Board, after inquiry, has not been adequately and properly performed by the Local Authority. I think the House will see that, at any rate, we have prepared this Bill in a very large and liberal spirit. We shall consider fairly all representations made to us by Local Authorities to strengthen and simplify the law and enable it to be properly carried out. If the House will give its assent to the Second Reading of this, and the Bill which stands next on the Order Paper, I will propose to refer them to one of the Standing Committees, which will undoubtedly go through the Bills in a businesslike way, and make them even better than they now are.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Ritchie.*)

(5.15.) Mr. JAMES STUART (Shoreditch, Hoxton): I and my hon. Friends have no opposition whatever to offer to these Bills. The right hon. Gentleman has done rightly in endeavouring to consolidate the law affecting the sanitation of the Metropolis, as he last year consolidated the law affecting the housing of the poor. The only misfortune is that this consolidation did not take place earlier. When the Local Government Act of 1888 was being passed we called attention to the necessity of this consolidation, for the distraught condition of the Public Health Acts, as they affect the Metropolis, has been rather a bar and hindrance to the proper execution by Sanitary Authorities of their duties. In regard to the Bill now before us I think it right to say that all the clauses are not of equal merit and cannot all meet with the same amount of approval, but on the whole we recognise in them an endeavour to bring the law up to the requirements of the present time. The right hon. Gentleman with much reason impressed on the House the propriety of giving the County Council power to take up the matters in which the Local Sanitary Authority may be in default. I believe I shall be supported by all my hon. Colleagues who sit on the Opposition Benches in the view that the relation in which the right hon. Gentleman places the County Council to the Vestries or Sanitary Authorities in London is not only a right and proper one, considering the circumstances of the case, but is one which is almost absolutely necessary. The health of the Metropolis is a matter which concerns the whole Metropolis, and therefore any case in which a Sanitary Authority is in default ought to be dealt with by the Representative Body of the Metropolis as a whole. I am glad to see the right hon. Gentleman has given the County Council power to frame bye laws in certain cases where it has not to supersede the Local Authority. It is quite evident the right hon. Gentleman does not share that distrust of the County Council which some hon. Members representing Metropolitan constituencies have, or, at least, profess to have. I think that in respect to the housing of the poor and other work it has been called upon to perform, the County Council has shown very great power of self organising, especially considering the enormity of the work, and the freshness of most of its members to that work. Indeed, there are very few matters in regard to which holes can be picked in the action of the London County Council. I am glad the President of the Local Government Board emphasises his satisfaction at the way the London County Council has done its work by the position he assigns to the Council under this Bill. The right hon. Gentleman has endeavoured to deal with the question of underground dwellings in a fair way; but I want particularly to call his attention to one matter in which I think the Bill ought to be improved in Committee. The *Lancet* pointed out about a week ago, that the London County Council ought to have the same powers as to open spaces about houses, which are possessed by every urban authority in England and Wales. While the right hon. Gentleman confers powers upon the County Council in respect to Sanitary Authorities in default, I trust he will grant them such powers as the *Lancet* points out they ought to have. With regard to the question of water supply, I think it is perfectly right that a house should be regarded as an insanitary place if it be improperly supplied with water. The right hon. Gentleman provides that to damage the water supply shall be punishable by a fine. I wish the right hon. Gentleman would consider who they are who mostly damage the water supply of London to the great detriment of the public health of London; they are the water companies themselves who have the power to damage the sanitary condition of London by cutting off the water. Such a power ought not to be allowed. All the companies ought to be allowed to do is to recover their expenses or the debt due to them by the ordinary means. As was the case in the Bill for the housing of the working classes, there are two great omissions in this Bill. In the first place, in order to carry out properly the sanitation of London, we require to have additional funds placed at the disposal of the Public Authorities—funds other than those immediately got from the occupying ratepayers. In the second place, until the Local Government of London is completed by the establishment of efficient and properly constituted Local Authorities, who shall also be the Sanitary Authorities, we shall be constantly in difficulty in respect to the enforcement of legislation such as this and the Housing of the Working Classes Act. There is no doubt, as the right hon. Gentleman has said, some Local Authorities have taken active steps in respect to the housing of the poor, but others have not done so. I urge on the right hon. Gentleman the great necessity for the completion of the District Government of London.

*(5.30.) MR. KELLY: I desire to say a few words on this Bill. The hon. Member for Shoreditch commenced by eulogising the London County Council, then went on to advocate the taxation of ground rents, and wound up by complaining of the delay in the production of the District Councils Bill. I cannot see how the question of the taxation of ground rents has any connection with the health of London, but this I may say that the delay in bringing forward the District Councils Bill has been due to the action of hon. Members opposite, for the right hon. Gentleman told us that years ago he had the Bill drafted and ready to be produced. Now, I beg to thank the President of the Local Government Board for the extremely careful manner in which he has explained the provisions of this measure, and especially its technical clauses. But I am sorry it contains several proposals which will be found to be exceedingly unacceptable. There is, for instance, that wretched being the common informer brought to the fore again. I admit you cannot offer too great facilities for enabling a person aggrieved or a sanitary officer, to deal with existing nuisances, but I regret to see that one of the clauses of this Bill brings to the front that most dangerous and abominable of all nuisances—that pest, the common informer—to whom, in some cases under this Bill, a bribe of £25 is offered to show zeal in his odious calling. Then I come to my next objection to this Bill. We are subject in our great cities to the mistaken zeal of officials. Now, I think it is desirable that when a sanitary officer serves a notice upon a householder he should specify what work is required to be done. But Sub-section 2 of Clause 5 provides that the notice need not specify the work to be executed unless the Sanitary Authority think it desirable, obviously that Authority will be guided by the advice of its own officer, who may be ignorant of what should be done in a given case, and who might shelter himself under the cover of a general notice, putting the unfortunate householder to a considerable amount of unnecessary expense. Other provisions of the Bill are, I think, equally unfortunate. Take, for instance, the burdens thrown upon owners and occupiers with reference to our streets. I do not think it wise or really in the public interest that we should continue the antiquated system of casting upon the occupier of a house the duty of sweeping away the snow from the pavement in front of his tenement. The present system of placing that duty upon him, subjects the unfortunate householder to have blackmail levied upon him by street loafers. If the work were undertaken by the Local Authority it could be done systematically, and hundreds of poor men would get an honest day's work, whereas it is now done by idle men in a most inadequate fashion, and paid for on a most extravagant scale. Who I should like to know will cleanse the pavements in front of chapels and churches? Who, too, is to be responsible in the case of unoccupied houses? I am afraid the names of defaulters in such cases could only be obtained at great expense, and certainly it would not be possible to ensure the snow being swept away within 24 hours. Another fault of the present system is that the snow is invariably swept into the road without regard to the necessity of securing a crossing for pedestrians. If the Vestry did the work that matter would be attended to. Now, one feature in the Bill is the clause with reference to underground rooms. The right hon. Gentleman spoke of the warnings of the Acts of 1855 and 1875. What is the law now?

*MR. RITCHIE: I said distinctly that the Metropolis Management Act did contain a provision with regard to light, ventilation, &c., but it was not to be compared with the provisions of the Public Health Act, 1875.

*MR. KELLY: What are the provisions of the Metropolis Management Act, 1855? One is that no underground room shall be occupied unless it is 7ft. high and 1ft. above the surface of the street adjoining. In this Bill the 1ft. limit is altered to 3ft. Again, the Act of 1855 says there shall be an open area 3ft. wide all round the room. Will the House believe that that is to be altered to 4ft.? And who is to be punished for infringing this law? I admit that the owner who lets underground rooms which ought not to be let in the interests of the public health should be promptly punished; but why should the ignorant, uneducated occupier be included along with the owner as liable to punishment? Let me point out the class of houses it will be impossible to let if this Bill becomes law. I admit frankly that if the London County Council had proper time to investigate these cases no great injustice would be done. I have not a word to say against the County Council. I do not think we are justified in distrusting our Local Representative Body. But undoubtedly the duty of dealing with these questions will be delegated to officers, some of whom are not too well paid, and to whom pecuniary inducements may be offered to neglect the proper discharge of their duties. Now, in the neighbourhood in which I live a large number of flats have been built. The upper floors bring in large rents, averaging about £200 a year, and the basement floors, of course, not so much, probably about £90 yearly. I have visited several of those houses, and I found that the area round one side of the room was 4½ft. to 5ft., while on the other side it was about 3ft. If those rooms are untenanted at the passing of this Bill they cannot afterwards be let. Some of these flats, too, are built on a slope, the effect of which is that the rooms at one end of the block are letable, and those at the other end unletable. It would be much better to say to what kind of buildings the restrictions shall apply, instead of spreading the net so widely, because many buildings will be included within the scope of the measure that are airy, perfectly healthy, and constructed on the newest principles. I confess I feel that London has very little to gain from the Bill. There are provisions so harassing in their character, the machinery of the common informer is so foreign to our English spirit, there is so little done to relieve the unfortunate Metropolitan householders from the foolish burdens cast upon them, that I should feel disposed, if any hon. Member were to move the rejection of the Second Reading, to support him. It is true the Bill is going to a Committee; I should like to know which?

*Mr. RITCHIE: The Standing Committee on Law.

*Mr. KELLY: I can only say I am sorry it is not going to the Trade Committee instead of the Law Committee. The Bill deals with questions of common sense, not nice points of law, and those questions can be much better dealt with by men of the world than by lawyers. No doubt it deals with something like 29 Acts of Parliament, but it is necessary that a measure of this kind should be clearly understood by the people, and it is more likely to be couched in plain terms if dealt with by the Committee on Trade. I can only repeat that it will require most careful supervision in Committee.

(6.47.) Mr. PICKERSGILL (Bethnal Green, S.W.): The hon. Member, in the course of his speech, made an observation which I think ought not to be passed by without notice. He said that the District Councils Bill had been delayed by the action of hon. Members on this side of the House. Now, that is a statement of an altogether Party character, and out of place in discussing this measure. But that is not all. It is absolutely, and even ridiculously, without even a shadow of foundation, because hon. Members on this side of the House have always met the proposals of right hon. Gentlemen in so fair a spirit that the President of the Local Government Board has himself repeatedly expressed his obligations and acknowledgments of the reception which has been given to them. Therefore, I do think that the observation ought never to have been made. Now, I am entirely in accord with the hon. Member in his condemnation of the impolicy of continuing and even extending the system of harassing householders in connection with the cleansing of footways in front of their houses. At present the duty is imposed on the householder of clearing snow away from the pavement fronting his house—and that is work, I think, which ought to be undertaken by the Local Authority rather than by individual ratepayers. There is another important change introduced in this Bill to which I think sufficient attention has not been drawn, and that is that power is given to enable the managers of the Metropolitan Asylums Board or the Sanitary Authority to charge not merely a patient for his maintenance in hospital, but also the friends of that patient. That is quite a new power.

*MR. RITCHIE: The hon. Member is slightly in error. The law at present is that the Sanitary Authority or the Asylums Board may in the case of non-pauper patients charge the cost of maintenance on those legally responsible for the maintenance of the patient, and, consequently, the Asylums Board can sue not only the patient, but they can also sue his friends.

MR. PICKERSGILL: That may be the case with regard to London, but I trust I am not precluded from going into the question, as it affects the country at large, and in that direction I think it must be admitted that at present the expense can only be recovered from the patient. This Bill will extend the liability. Now I come to the question of making bye-laws. I think that one of the most important objects of this Bill is that of allowing the London County Council to make bye-laws, and I wish to submit that subordinate authorities in London should be equally subjected to these bye-laws.

*MR. RITCHIE: They are.

MR. PICKERSGILL: That is not so, for I find that the City of London is exempted from the operation of this provision. Now, we know that large and important areas, such as Chelsea and Kensington, are to be brought under the operation of this provision, and I think it is most unfair to exempt the City of London. I quite agree with the hon. Member for Shoreditch in his views as to the desirability of empowering the London County Council to pass bye-laws in terms similar to those which are contained in Section 157 of the Public Health Act. That section provides that an Urban Authority may make bye-laws with regard to sufficiency of space for buildings, and to secure the circulation of air, &c. It is true that in the Metropolis Buildings Act there is a clause which deals with this subject, but it is by no means in terms so broad as those which are contained in the Public Health Act. Take, for instance, the case of the notification of disease. There is a provision in this Bill which entitles the managers of every elementary school to receive a list of cases of infectious diseases. Of course, it is desirable to isolate, and the House has on various occasions recognised the desirability of isolating, cases of infection in the interest of the health of the general community. But, at the same time, it is extremely desirable that undue publicity should not be given to the prevalence of infectious disease, and it seems to me that in this provision the Bill is doing that which may lead to considerable difficulty, because it insists on the intimation to a large number of persons, who, not being officials, are not bound to secrecy, that disease is prevalent in a particular house. I do hold that it is important that unnecessary publicity should not be given to the fact that infectious disease has broken out in a particular house. With reference to the provision dealing with Coroners' Court Houses, I certainly advocate the substitution of the word "shall" for "may" in the clause, for I hold that it is most undesirable that inquests should be held in public houses. I also think that as a Town Council is empowered to provide a market subject to the consideration of private rights, similar power ought to be given to the London County Council. Again, the injury which results to health and property from smoke in the Metropolis is becoming a question of grave public importance, and I would suggest that this is a good opportunity for making the Smoke Acts more stringent than they are at present. I think the Bill contains many good features, and I have no doubt that in Committee it will be very much improved.

(5.58.) SIR A. ROLLIT (Islington, S.): I desire, at the request of the Local Authority in my constituency, to say one or two words in regard to these Bills. No doubt many of their provisions are required, and they will introduce valuable amendments in the law. Provisions relating to public health are at present scattered up and down many Statutes, and so ingeniously concealed from the people; and I venture to think it would be a great advantage to have them consolidated in one measure. I think, too, it is very important that both owners and occupiers should know their obligations, rights, and remedies, and should take a personal part in securing the sanitary condition of the Metropolis. In regard to the amending Bill, I think it is also necessary. It is almost incomprehensible that London should be content to continue to be governed under an Act which is in a very great degree obsolete. It is almost a caricature that Michael Angelo Taylor's Private Act should be the public law of London—an Act under which arrests, for instance, can be made for only minor nuisances.

Mr. RITCHIE: Without warrant.

Sir A. ROLLIT: Yes, without warrant. These Bills will undoubtedly improve the law, and bring it in accord with modern requirements. But I am asked by the Local Authority of my district to call attention to one or two points. One is the disposition of the two Bills to subordinate Local Authorities to what I may call the Central Authority. I am one of those who sympathise with and do not distrust the County Councils. I have had too much experience of Provincial Municipal Councils to think that these matters cannot be safely entrusted to the County Councils. Still, one of the defects of the London Council has been that it has scarcely been able to cope with the immense amount of work imposed upon it. Yet these Bills give it additional powers of control and additional duties which it will hardly be able to fulfil adequately. Take, as an instance, a portion of the work which has been done in Islington, and which the County Council is now to be asked to undertake. Islington has a population equal to that of any of our large towns, save, perhaps, some four or five. I may mention, as an illustration of its public work, that during the last decennial period no less than 293,565 inspections of houses have been made. No complaint has been made of the manner in which that duty has been performed, notwithstanding the complexity of the law under which it has been discharged. Yet the right hon. Gentleman asks that power and control should be given to the Central Authority, though he has made no allegation of neglect of duty in these matters by the Local Authorities. On the contrary, I always like to look upon the parish as the unit in dealing with these matters. We must also always remember that the Local Authorities have great experience of details and great knowledge of local requirements, and it would be dangerous, in my opinion, to attempt to supersede them by conferring powers upon the Central instead of the Local Authority. I do not hesitate to say that there is too much tendency towards a Central Authority rather than to the development of Local Authority in the Bills before the House. Again, some of their provisions are too drastic. One imposes a penalty of £50 for not keeping the streets clear of snow, with a continuing penalty of 5s. a day. But, in regard to such emergencies, the Local Authorities have many things to consider, including the question of the unemployed, and whether they should keep a large staff of officials, at great extra cost to the public, for the purpose of meeting those emergencies. Another provision, following the precedent of the Scotch Bills, makes the Medical Officers and Sanitary Inspectors irremovable, except with the consent of the Local Government Board. I think such a provision exhibits the dangerous tendency of distrust of the Local Authority; and I am disposed to think that the sense of responsibility is decreased by these over-riding and appeal provisions. The tendency to centralisation in these Bills will deprive localities of the services of the best men; and while I welcome some of their provisions, I think in Committee that exception will have to be taken to others of them.

(6.10.) Dr. FARQUHARSON (Aberdeenshire, W.): I think this Bill will do a great deal to remove some of the minor miseries under which Londoners have lived for so many years, and add greatly to the health and convenience of the community. I am bound to say that I think the Committee on Law requires to be strengthened before such a Bill can be threshed out. This Bill notably does one thing, it abolishes that most detestable custom of putting salt on the snow in the streets—thus lowering the temperature, producing a mixture which finds its way through any shoe leather, and causing great pain to horses which have to stand in it. I am glad also to find that the Bill abolishes the emptying of dust bins at all hours of the day. The other day, in Grosvenor Square, at 11 in the forenoon, I found dust bins being emptied, and the air all around thickened with the dust, probably laden with germs, or baccili, which spread over the Metropolis, thus causing epidemics, which the Local Government Board, with all its skill, would probably be unable to run to the ground. We have heard nothing about fog, which is a difficult matter to deal with. I am glad to see that the responsibility of removing snow slush is to be taken from the householder, who does not do it well, and imposed upon the Local Authority. With some of the right hon. Gentleman's observations regarding the prevention of infectious diseases, I warmly agree. I think the schoolmaster will be able to put his fingers on infected areas, and probably prevent the outbreak of disease, not only in the school but in the locality. As to the dismissal of Medical Officers of Health, their duties, if properly discharged, are so likely to excite prejudice, that I think their dismissal should only be with the consent of the Local Government Board. I do not intend to say more upon this Bill, which appears a very good one, and which I have no doubt, when put into shape in Committee, will confer great benefit upon the Metropolis.

*(6.15.) MR. ISAACS (Newington, Walworth): In the few words I have to offer in connection with this Bill, for which I thank the right hon. Gentleman, I am rather disposed to follow the line of argument adopted by the hon. Member for Hoxton (Mr. Stuart), when he said that possibly the better course to have pursued would have been for the right hon. Gentleman the President of the Local Government Board to have addressed himself in the first place to the completion of the Government plan, discussed some years ago, by the introduction of a Bill for establishing Municipal Councils. No doubt if such a course had been pursued a considerable amount of the time that will be necessary for the consideration of the two measures which the right hon. Gentleman has now thought it necessary to introduce, would have been saved. I think, however, that there are in those two measures many elements which are likely to be productive of great benefit to the people of London. With regard to the second Bill, which is a measure of consolidation, I think that measure is one which will be found to be of the greatest service to those who are interested in the carrying out of the sanitary work required in the Metropolis. It is an important measure, having a wide scope, and embracing no fewer than 29 other measures, all of which deal with the government of the Metropolis. With regard to the measure immediately under discussion, I would say that I think there is great cause for congratulation, although some of its provisions are such as will have to be very carefully considered when the Bill is sent to the Committee upstairs. I fully share with the hon. Member for North Camberwell (Mr. Kelly) the dread he has expressed lest the Bill should prove to be the means of finding undue employment for that most unpleasant, disagreeable, offensive, and obnoxious person, the common informer. If the House looks carefully into the measure, I think it will see how large are the inducements it offers to that person to put in force the provisions of the Bill. The penalties imposed by some of the clauses are exceedingly severe. One of them has already been referred to, namely the clause which imposes a penalty of £50 on the Local Authority for neglecting to cleanse the roadways, and, in addition to this, inflicts further penalties of a continuous character. These, however, are details, which, no doubt, would be better considered upstairs. In addition to the objections I have urged to the provisions which may offer inducements for a large employment of the common informer, there is another matter which I think is likely to meet with grave opposition on the part of the existing Local Authorities. I refer to the provision for calling into requisition the action of the London County Council on matters which, in my opinion, are

not the proper subjects with which they ought to deal. If I correctly estimate the duties of that body, they are of a general and metropolitan character. The London County Council are called upon to deal with London street improvements, with main drainage, with the means of inter-communication between the north and the south sides of the Thames, and with other matters of a large and comprehensive character, and I do not think that the London County Council would have its time usefully employed in the settlement of bye-laws as to the manner in which the streets are to be cleansed. Admitting that it may be desirable there should exist some means of dealing with this question, it cannot be contended that a great body like the London County Council should be called upon to lay down rules for every district of the Metropolis as to the hours at which the cleansing of the streets should be performed. I think that the right hon. Gentleman will find that he will have to forego a good many of the references he has made in this Bill to that body. At any rate, I have little doubt that he will meet with a considerable amount of opposition on the part of the existing Authorities against what they may consider to be an undue interference in matters coming within their province. I would also say that, as the Bill now stands, it is simply a piece of patchwork, that is to say, it can hardly be regarded as a complete measure. With regard to one provision relative to the cleansing of the footpaths, I venture to think that even on the score of economy the householders of the Metropolis would greatly welcome provisions under which the cleansing of the footways, as well as of the roadways, should be undertaken by the Local Authorities. At present, whenever there is a heavy fall of snow, the householders are subject to the enforcement of blackmail in order to get the work of clearing the snow away from the front of their premises performed; and this alone would, I think, induce them to go a long way towards supporting a proposal which might even involve a slight extra addition to the rates, by throwing this work upon the Local Authorities. As it is, we call upon the Local Authorities to cleanse the roadways, and they do it; but we leave it to the option of the householders to cleanse the footways at such times as they may think fit; and the result is, that after the Local Authority has rendered the carriage-ways clean, the householder gets to work, and undoes what has already been effected by the Local Authority. With regard to the portion of the Bill which deals with underground dwellings, I am in entire accord with the right hon. Gentleman, and I also particularly approve of those clauses which deal with the sale of unwholesome food; but, on the other hand, I think that the provision with regard to making known the existence of infectious diseases to the whole of the Local Authorities of the Metropolis is, perhaps, a little too drastic, and may need some amendment upstairs. However, taking the Bill as a whole, and having regard to the general scope of the measure, I think the right hon. Gentleman has shown the House how completely he has mastered the subject, and how eminently capable he is of dealing with this important matter in a lucid and practical manner. To these few observations I have only to add that I shall give the measure my most cordial support.

(6.21.) MR. CAUSTON (Southwark, W.): In supporting the Second Reading of this Bill I hope its passage may not be taken as an excuse for any further delay in the introduction of the District Councils Bill. I agree with the hon. Member opposite who has said that the District Councils Bill ought to have been introduced in preference to this; because much of the work the House is now doing will have to be gone over again when that Bill is brought forward. Reference has been made by my hon. Friend to the desirability of introducing upon the Grand Committee, which will have to consider this Bill, the scientific element, and I hope the Committee of Selection will not forget the London Members who ought to be appointed on the Committee, and, as my hon. Friend the Member for Hoxton reminds me, particularly those who sit on this side of the House. I wish to ask the right hon. Gentleman the Pesident of the Local Government Board whether he can relieve the anxiety which is felt by certain Medical

Officers of Health and Sanitary Inspectors who now hold appointments in the Metropolis with regard to the protection to be afforded them under this Bill? By Clause 35, Sub-section 8, the Bill provides that Medical Officers and Sanitary Inspectors appointed after the commencement of the Act shall be removable by the Local Authority, with the consent of the Local Government Board; but there is no provision for the protection of the officers who now hold these appointments. They are anxious to know whether they have been intentionally omitted from the clause, or whether they have only been omitted by accident. I hope it will be thoroughly understood that although we are going to vote, as I trust, most cordially, for the Second Reading of this Bill, there are many details which will have to be thoroughly threshed out in Grand Committee.

(6.26.) Mr. ISAACSON (Tower Hamlets, Stepney): I have only risen to express a hope that my right hon. Friend will permit the introduction of a clause preventing auctioneers and house agents from selling or letting unhealthy houses. We know that such houses are let. An instance occurred only a short time ago in the neighbourhood of Grosvenor Square where my hon. Friend has told us he saw the dust cart. A house was sold by an auctioneer, and when it was examined it was found to contain five open cesspools. It took some considerable time to cart away what proved to be no less a quantity than 500 cart-loads of polluted soil, which, of course, had to be done at considerable cost. I might mention another case of a resident in the neighbourhood of Regent's Park, where the house had not been occupied more than three or four weeks before the father and daughter and five servants were laid up with fever. There was another case in Bayswater where something of a similar character occurred. What I want my right hon. Friend to do is to insist that every auctioneer and house agent, when submitting for sale or for letting residential premises, shall produce an agreement to which shall be attached a sanitary document certifying that the house is fit for habitation, and in good sanitary condition. Hon. Members have probably little idea of the amount of trouble that has been caused by the letting of unsanitary houses. I could mention the names of celebrated people who have met an early death through inhabiting unsanitary dwellings, and I shall be glad, if my right hon. Friend will permit me, on the Third Reading of this Bill, to put down an Amendment to the effect that every house, before it is sold or let by an auctioneer or his agent, shall be officially certified as being in a fit sanitary condition. I hope before the Third Reading of the Bill my right hon. Friend will see his way to accept this suggestion, and meanwhile I am glad to support the Second R-ading of the Bill.

*(6.30.) Mr. WHITMORE (Chelsea)· With other Metropolitan Members I thank my right hon. Friend for the introduction of this Bill, but I desire to emphasise the remarks which have been made as to the undesirability of diminishing the responsibility and independence of the Local Bodies, the Local Vestries, or the District Councils of the future. Representing as I do a district which has always been honourably distinguished for its sanitary administration, I feel bound to give expression to the very strong feeling that there exists, the feeling of anxiety that some of the provisions of the Bill will diminish the direct responsibility of the Local Bodies. I cannot help putting this question to my right hon. Friend. The new District Councils, as we all hope, will be more able Administrative Bodies than the present Vestries, but, after all, does not the secret of all successful administration depend on the *personnel* of those who are the administrators? The question then is, how to attract to the new District Councils a worthier class of men than those who have managed local affairs in London heretofore? One method of doing this is to give to the new bodies large and important functions, and to make them feel themselves directly responsible to the ratepayers. I cannot help thinking that just at this very moment, when we are all hoping for better local government in the future, a step is being taken by some of the provisions of this Bill which will

tend to discourage really responsible people from going on the Local Bodies, and therefore it will be necessary in Grand Committee to watch most carefully those clauses which seem to fetter unnecessarily the powers of the present District Bodies, and to give unnecessarily increased powers of supervision to the County Council. Subject to these criticisms, I thank the Government for the introduction of a most important and excellent measure.

*(6.34.) **Mr. RITCHIE**: Though I have no right to trouble the House with any further remarks, I hope I may be allowed, with the indulgence of the House, to acknowledge the sympathetic manner in which the proposals of the Government have been received, and especially by the London Members. It is not surprising that objection should be taken to certain details, considering that the Bill deals with so many important and difficult questions, When the Bill gets into Grand Committee I think it will be found that the fears expressed with regard to the possible interference of the County Council with the Local Authorities are in most cases exaggerated, if not altogether groundless. The Bill does not go one bit further than the existing law. At the present moment it is open to any ratepayer in London to make a representation to the Local Government Board that a certain Vestry is not performing its duty with regard to a particular question, and the Local Government Board, if satisfied that there is ground for such complaint, may hold a local inquiry and call upon the Local Authority concerned to perform their duty within a limited time, and, unless it is so performed, may appoint any person or body of persons, including the London County Council, to perform it. Therefore, the Bill is not going beyond the existing law. In some respects, indeed, it modifies the existing law, because it provides that it shall not be in the power of any individual to put that machinery in motion but the County Council alone; and the County Council even will not be at liberty to interfere until they have obtained the previous assent of the Local Government Board.

We must be satisfied that the Local Body is in default. We believe that in the vast majority of cases no such power will have to be exercised, but I think the House will see that, having regard to some possible miscarriage in the administration of the law, it is desirable that such power should exist. If in any matter of form or language the Bill is thought to create undue powers of interference, the Government will be glad to consider Amendments to remove doubts or difficulties in that connection. I should be the last person to do anything calculated to prevent good men from coming forward to serve on these Local Bodies. Allusion has been made to the cleansing of footpaths with the suggestion that this should be a duty cast upon the Local Authority; and though I have not seen my way to altering the responsibility that now lies with the occupier, I shall be perfectly ready to consider any proposal made in Committee. Then a question has been raised by the hon. Member for Southwark (Mr. Causton) as to the position of Medical Officers and Sanitary Inspectors. There are a large number of these, and in the great majority of cases they are appointed from year to year, and the position is this—that at the end of the term of their present appointment they will become officers under this Bill; until the present appointments cease they will not. Clearly, it would be most injudicious that we should impose upon Local Authorities the obligation of maintaining every one of these officers in their position irrespective of their qualifications for permanent occupation of their posts. When the new appointments are made at the end of the year or in three years they will become officers under this Bill, but until their period of appointment is passed they will not.

***Mr. MORTON** (Peterborough): Will the right hon. Gentleman say what he means by re-appointment? I am not aware of the practice in London.

***Mr. RITCHIE**: I refer to officers who hold their posts for a year and are re-appointed.

***Mr. MORTON**: That, so far as I know, is only done by the Commissioners of Sewers for the City of London.

MR. CAUSTON: Many officers are not subject to re-appointment.

*MR. RITCHIE: I am not aware of cases in which they are not re-appointed; but, in any event, existing appointments may be terminated by mutual consent and a new appointment made. But it would be impossible to impose an absolute duty on the Local Authority to keep on a man without an opportunity of considering whether he is a fit and proper person to be appointed permanently. I am afraid it would be impossible to carry out the suggestion about certificates for sanitary houses. In order to certify every house to be in a perfectly sanitary condition it would be necessary virtually to pull the house to pieces, and I am afraid it might be found that there were very few houses in London faultless in that respect. I will only say in conclusion that the Government do not regard this Bill as a Party one, or, in a political sense, a contentious one; and we shall be glad to listen to any suggestions in Committee, and to consider dispassionately, and I hope favourably, all proposals which we think will be improvements in the Bill.

Question put, and agreed to.

Bill read a second time, and committed to the Standing Committee on Law, &c.

PUBLIC HEALTH (LONDON) LAW CONSOLIDATION BILL.—(No. 232.)

Bill read a second time, and committed to the Standing Committee on Law, &c.

ASSESSMENT OF TAXES (REGULATION OF REMUNERATION) BILL.—(No. 221.)

Considered in Committee, and reported, with an amended Title; as amended, to be considered upon Thursday.

SUPPLY—REPORT.

Resolutions [6th April] reported.

CIVIL SERVICE ESTIMATES, 1891-92.

Resolution 1 (see page 1816) agreed to

Resolution 2.

"That a sum, not exceeding £78,904, be granted to Her Majesty, to complete the sum cessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Royal Parks and Pleasure Gardens."

MR. CAUSTON (Southwark, W.): May I ask the First Commissioner a question I was unable to put to him last night with regard to the use of Constitution Hill and the desire that the drive should be continued: Will the right hon. Gentleman say whether the road from behind Carlton House Terrace to Trafalgar Square will be continued, opening up what is now a pavement as a roadway?

*THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): That is part of the plan recommended by the Committee three years ago on the Admiralty Buildings, and it is intended to carry out that proposal as soon as the Admiralty Buildings are completed.

Resolution agreed to.

Resolution 3.

"That a sum, not exceeding £29,625, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for Houses of Parliament Buildings."

*MR. MORTON (Peterborough): In this Vote occurs the charge for lamp oil, and in regard to this I wish to ask the right hon. Gentleman how long the present contractor has held the contract, and if any other contractors have been asked to tender during the last 20 or 30 years? I am informed that the contract has been in the hands of one individual for a great many years.

*MR. PLUNKET: The contract is from year to year, and I know that for the last three years it has been in the hands of one contractor. I rather think others have been invited to compete for it, but of that I am not sure. But I have undertaken to give a Return fully explaining the whole circumstances.

Resolution agreed to.

Resolutions 4 and 5 (see pages 1872-3) agreed to.

Resolution 6.

"That a sum, not exceeding £28,461, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for Expenditure in respect of Art and Science Buildings, Great Britain."

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution."

SIR G. CAMPBELL (Kirkcaldy, &c.): I take the opportunity to make one more appeal to the right hon. Gentleman in favour of lighting up the Natural History Museum in the evening and on dark days. I know the experiment at the British Museum has not been successful, but that is a museum of antiquities, and is not attractive for the people generally. The South Kensington Museum contains a collection of out of date out of the way gimcracks——

MR. SPEAKER: Order, order! it is now ten minutes to 7.

*SIR G. CAMPBELL: I was merely asking a question. I have no intention of opposing the Vote.

It being ten minutes to Seven of the clock, the Debate stood adjourned.

Debate to be resumed upon Thursday.

ARMY SCHOOLS BILL.—(No. 211.)

Bill considered in Committee, and reported; as amended to be considered to-morrow.

MERCHANDISE MARKS [COSTS].

Resolution reported.

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of the costs of prosecutions undertaken by the Board of Trade, which may be incurred under any Act of the present Session to amend 'The Merchandise Marks Act, 1887.'"

Resolution agreed to.

MERCHANDISE MARKS BILL.—(No. 245.)

Bill considered in Committee, and reported, without Amendment; read the third time, and passed.

MOTION.

MIDDLESEX REGISTRY BILL.

On Motion of Mr. Jackson, Bill to make temporary provision for the business of the Middlesex Registry of Deeds, ordered to be brought in by Mr. Jackson and Mr. William Henry Smith.

Bill presented, and read first time. [Bill 265.]

GOVERNMENT PROPERTY (LONDON) VALUES.

Return ordered—

"Of the net values of Government property in the County of London upon which the contribution in lieu of rates is based, showing each parish separately."—(*Mr. Jackson.*)

EVENING SITTING.

ORDERS OF THE DAY.

RATING OF MACHINERY (No. 2) BILL.
(No. 18.)

Order read, for resuming Adjourned Debate on Question [25th February], "That the Bill be now read a second time."

Question put, and agreed to.

Bill read a second time, and committed for to-morrow.

BRITISH EMIGRATION TO BRAZIL.

(9.1.) MR. TOMLINSON (Preston), who had upon the Paper the following—

"To call attention to the condition of British Emigrants to Brazil; and to move, That more systematic means should be adopted for publishing authentic information as to the climatic and social conditions of countries outside the British Empire which offer inducements for the immigration of British subjects, and as to the condition and prospects of British subjects who have emigrated to those countries,"

said: I have not received the information which enables me to bring on my Motion, and, therefore, I will not move it.

House adjourned at five minutes after Nine o'clock.

by Contract with H.M.'s Government. An Asterisk at the commencement of a Speech indicates revision by the Member.

HOUSE OF COMMONS,

Wednesday, 8th April, 1891.

ORDERS OF THE DAY.

HARES BILL.—(No. 10.)

SECOND READING.

Order for Second Reading read.

(12.35.) Colonel DAWNAY (York, N.R., Thirsk): In rising to move the Second Reading of this Bill, I wish to say that it should have been unnecessary to give an assurance that the Bill has nothing whatever to do with the preservation of rabbits; but, unfortunately, a number of persons who ought to know better have insisted on calling it a Hares and Rabbits Bill, and have thus unjustly created a great deal of opposition to it that would not otherwise have been shown. The object of the Bill is to provide a close time for hares only during the breeding season; and so far from wishing to interfere with the principle of the Ground Game Act, 1880, in which the right hon. Gentleman the Member for Derby (Sir W. Harcourt) is interested, the object in bringing in this Bill is to confirm that principle and to secure to the farmers the benefits granted to them by that Act, benefits which are now endangered. The provisions of the present Bill differ in one important particular from previous Bills on the subject. Although there is, and always has been, a large majority in the House in favour of a close time for hares, yet there does exist a strong feeling among a certain section that there should not be one hard and fast close time in all England, Scotland, and Wales. There is considerable force in this objection, because what might be a reasonable close time in Sussex and Dorset would not be equally reasonable for the Counties of Sutherland and Caithness in Scotland. To meet this objection, the present Bill, instead of giving the same close time for England, Scotland, and Wales, gives the County Councils in those countries power to grant a close time in their own respective counties during the breeding season. The Bill also is on the same lines as that valuable measure, the Wild Birds Protection Act, but it substitutes County Councils for Justices of Quarter Sessions in fixing a close time. We do not ask the House to fix a particular close time, but that the occupiers of the land may, if they wish, through their representatives on the County Councils, have the power of fixing the close time during the breeding season. If the occupiers do not want the power they need not have it, and if, having obtained it, they find it injurious, the Bill will enable them to repeal it. I venture to say that a measure more free from possibility of abuse has never been submitted to Parliament, and I am not altogether without hope that we may secure the support of the right hon. Gentleman the Member for Derby himself for the Second Reading. I earnestly hope that this may be so, or I believe that soon there will be no hares left to protect. In many parts of England hares are becoming almost extinct through the barbarous and unnecessary slaughter that is made of them at improper times. The right hon. Gentleman did not agree with me last Session, and as a proof that hares were plentiful in this country he told the House that Lord Durham had in one particular day had 360 killed on his estate. But even supposing that Lord Durham is in the habit of shooting 300 or 400 hares on his estate in one day it would only prove that there are a few great landowners who are able to afford the expense of keeping up a large supply of game. I have taken pains to ascertain the views of the trade in this matter, and have consulted many of the leading salesmen of the London game markets. They have informed me that there has been a marked decrease in the number of English hares since the Act of 1880 was passed, and that also after the beginning of March a very large number of the hares that are killed are with young or in milk. Very few buck hares come into the market after the end of February, and the slaughter of doe hares is simply barbarous. Nor is there any excuse for it, because there is an ample supply of foreign hares brought frozen into the market that are killed before the breeding season, and are therefore in a fit and proper condition. All the game salesmen agree that if some steps are not taken to prevent the present destruction the utter extermination of our whole stock of English hares is only a matter of time. This is the fifth Session that this Bill has been brought forward, and until this day we have not had the opportunity of a Debate on the Second Reading. Last year we succeeded in getting the Bill into Committee, when the right hon. Member for Derby stated his objections to it, and it is in order to satisfy and to remove those objections that the present Bill has been brought forward to-day in its altered form. I wish briefly to refer to some of the objections urged by the right hon. Gentleman. The first was that the Bill contravenes the principle of the Ground Game Act. This, however, is not the case, and the Bill simply seeks to put a stop to the senseless and indiscriminate slaughter that is now going on. Hares have a habit of wandering from one farm to another, and a farmer naturally says, "What is the use of my preserving hares that they may be shot by my next neighbour?" The result is, that the wretched hares are shot both in season and out of season to prevent any chance of escape. This Bill will prevent anything of the kind, because, if the majority of the farmers wish to have a close time, they will, through their representatives on the County Councils, be able to secure it. Another objection of the right hon. Gentleman was that this is a sportsman's Bill, and is brought forward in the interests of sportsmen. Well, I admit that if there were no hares there would be no coursing, and tens of thousands of the working classes, among others, in Lancashire and Yorkshire would be deprived of a sport in which they now participate, and which they enjoy just as much as the right hon. Gentleman himself does the Goodwood and Ascot races. For my own part, I should be extremely sorry to see any of the old English sports abolished, although, if the right hon. Gentleman will bring in a Bill to put a stop to such coursing as takes place at Kempton Park, I will willingly support it; but I say emphatically that this is not a sporting Bill. Lastly, the right hon. Gentleman says that this is a Bill which would create a new Game Law, and that it would warrant the gamekeepers in being always on the land of the occupiers. But if the tenant does not like the arrangement he would be able to take effectual steps to put a stop to it, because up to the period at which close time begins he could kill every hare in his district. Whatever the result of the Bill may be, I do not think it will add to the game preserves of this country. It is a Bill for preventing the extermination of a valuable animal. I desire to point out that by inadvertence I have omitted to insert a clause—which, however, I will move in Committee—expressly providing that the Bill is not to apply in cases where a hare or leveret has been killed, wounded, or taken inside a nursery or other garden. There is an almost unanimous feeling in the country in favour of the measure. Almost every Farmers' Club and Chamber of Agriculture has passed resolutions in favour of the Bill. Two years ago 2,000 Petitions were presented, containing 30,000 signatures in favour of it, and only one against it; and Mr. Rowlandson, who contested the North Riding of York in 1883, spoke in the Central Chamber of Agriculture strongly in support of it. No measure was ever more universally supported by all classes. Even the Society of Advocates at Aberdeen have petitioned in favour of it, and the names on the back of the Bill represent every single section of this House. Hon. Members for Ireland, besides having backed the Bill, have given a still more practical proof of their opinion upon the matter, because an Act fixing a close time for hares in Ireland was passed in 1879. Consequently, Irish hares already enjoy the blessing of Home Rule, and the present Bill will extend the blessing to their less fortunate fellow-creatures in England, Scotland, and Wales. I cannot think that the right hon. Gentleman the Member for Derby will refuse them this small mercy. On what principle of justice should a Donegal hare enjoy the blessing of paternal government, while the Derbyshire hare remains without the pale, an alien and an outcast? Before I sit down I must again emphatically repeat that we do not wish to curtail or interfere with the existing rights of anyone. If the farmers really wish to exterminate the hares, they will, under the present Bill, have ample opportunities of doing so. But the supporters of the measure protest against the hares being barbarously slaughtered at a time when they are unfit for human food, and I appeal to the House to grant this small, but necessary, amendment of the Ground Game Act of 1880. In conclusion, I beg to move the Second Reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Colonel Dawnay.*)

*(12.45.) Mr. BARCLAY (Forfarshire): In rising to oppose the Bill, I desire to express a certain amount of sympathy with the object the hon. Member has in view; and if he had confined the measure to the prevention of the selling of hares in close time, I do not think I should have opposed him. My main objection to the Bill as it stands is that it is a new and an additional Game Act. I think we have already too many Game Acts, and, for my part, I am resolved to oppose any new game legislation until there has been a revision of the Acts now in force. I think the hon. Member has over-stated his case in saying that this will not be an interference with the rights of the farmers under the Ground Game Law, because he must be aware that it would be impossible to fix snares for rabbits in close time without the chance of catching hares in them, and if that should happen the farmer would render himself liable to penalties under this Bill. That would certainly be an infraction of the rights conferred on farmers by the Ground Game Act. Let me remind the House that the Ground Game Act was a compromise. There was an anxious desire on the part of many hon. Members that there should be a close time for hares; but, on the other hand, there was a desire that the rights of the farmer should not be prejudiced, and that consideration prevailed. The hon. Member has said that the farmers are almost unanimously in favour of the Bill. I do not think the hon. Member has had much support from the Scotch farmers. On the contrary, from everything I have heard, the Scotch farmers are opposed to the Bill. [An hon. Member: No.] Is the hon. Member who dissents able to refer to any Petition from Scotch farmers in favour of the measure. For my part, I have not seen any; but even if it were the case, and a large number of sporting farmers were in favour of a close time for hares, I do not think that would be any justification for this Bill, or that a majority of the farmers should be allowed to preserve animals to eat up the crops of the minority. For it must be borne in mind that before the hares of the majority can eat the crops of the minority they must first trespass upon the land of the minority. It is not, however, a question between the majority and the minority, but a question whether a highly rented farmer is to be called upon to maintain in addition his neighbour's hares. This Bill proposes to disturb the compromise already arrived at, and to curtail the rights now enjoyed. If the hon. Member had brought forward a measure simply to prevent the selling of hares in close time, or if he had proposed that the farmers should have more liberty in dealing with hares and rabbits outside the close time, I should not oppose the Second Reading of the Bill. But under the circumstances, although I sympathise to some extent with the views of the hon. Member, I feel called upon, in the performance of my duty to my constituents, to move that the Bill be read a second time on this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Barclay.*)

Question proposed, "That the word 'now' stand part of the Question."

*(12.56.) Mr. COBB (Warwick, S.E., Rugby), who seconded the Amendment, said: I have been in communication with a large number of tenant farmers in regard to this Bill, and it is obvious that it is a measure upon which a considerable diversity of interests arises. Indeed, it seems to me that in discussing any question of game it is impossible that a diversity of interests should not arise between the game preservers and the tenant farmers, whose crops feed the game. The present Bill is very largely a rich man's Bill. It is clearly a Bill in the interests of game preservers, and opposed to the interests of the tenant farmers. Tenant farmers did not always get their way, but after many years of fighting they obtained the boon which was con-

ferred by the Act of the right hon. Gentleman the Member for Derby. There is no tenant farmer in the country who will say that that Act has not been of great service to him. There is not an argument which has been used to-day by the hon. and gallant Member (Colonel Dawnay) in favour of the Second Reading of this Bill which was not used against the Second Reading of the Ground Game Act. I cannot understand on what principle the hon. and gallant Gentleman assumes that this Bill will not interfere with the Ground Game Act. This Bill is in direct opposition to the principle of that Act. The principle of the Ground Game Act is that a tenant farmer may do what he likes with the hares and rabbits on his land at all times. This Bill will prevent him doing what he likes with hares at a certain time of the year. It seems to me that tenant farmers would be foolish to give up the right which has been given them. Far too few rights have been granted to English tenant farmers; they are beginning to learn by experience, and they have not the same confidence in the landowning and game-preserving class they had 20 years ago. I imagine that no one wishes hares to become extinct, no one wishes to deprive those who enjoy sport with harriers and greyhounds of their sport; but as to the matter of food supply, I am satisfied that the damage done by hares in England vastly exceeds any amount of food which hares afford. The hon. and gallant Gentleman spoke of how very fairly tenant farmers had acted in carrying out the Ground Game Act. I ask him to trust them in the future. He says that he does, but his Bill seems to show that he does not. I am quite sure tenant farmers will not unnecessarily kill hares in close time. Of course, it may be absolutely necessary in the interest of his farming operations that a farmer should kill hares in the close time, but this Bill will prevent him doing so. It seems to me the people we really want to get at are the people who make a profit by the sale of hares in the close time. I agree with my hon. Friend the Member for Forfar (Mr. Barclay) that if the hon. and gallant Member would confine his Bill to prohibiting the sale of hares and the exposing hares for sale during certain times we might well withdraw our opposition. I understood

the hon. and gallant Gentleman to say he only knew of one solitary instance of a tenant farmer being against the Bill. I have the honour to represent an agricultural constituency, and I have made it my business to ascertain the opinions of the tenant farmers in regard to this measure. About a year ago I was present when this matter was discussed by four gentlemen in Warwickshire. Two of the gentlemen were well-known Conservative farmers and one was a Radical doctor, who, I think, knew as much about hares as the Conservative farmers. The Radical doctor was at first strongly in favour of the Bill of the hon. and gallant Gentleman, but at the end of the discussion I made a note of what was agreed.

> "That the present rights of tenants under the Hares and Rabbits Act, as to killing hares and rabbits at any time, ought not in any way to be encroached upon, but that hares ought not to be sold or exposed for sale out of season, so that their wanton destruction for profit might be stopped."

I firmly believe that represents the very general opinion amongst tenant farmers. Last Saturday there was a meeting of the Warwickshire Chamber of Agriculture. The Chamber discussed this Bill, and the Vice Chairman moved—

> "That a close time for hares is not desirable in the interest of agriculture,"

and he pointed out that, so far as tenant farmers were concerned, this would be a retrograde movement. The motion was seconded by Mr. Macmillan, one of Lord Leigh's largest tenants, and a gentleman very well known in Warwickshire. He said the Bill would make the position of the tenant farmer worse than it now was. Another well-known tenant farmer said that all farmers seemed to be against killing hares during the close time, and he thought they might be trusted without an Act being passed. That is exactly my view. I second the rejection of the Bill, firstly, because I believe it to be an invasion upon the rights of the tenant farmers; and, secondly, because I believe the difficulty may be met in the very simple way I have already indicated.

*(1.12.) **Mr. HERMON - HODGE** (Lancashire, Accrington): As having been a master of harriers in Oxfordshire and Berkshire, I may, perhaps, be allowed to say a few words. My experience of farmers, and it is naturally a very large one, is diametrically opposed to

the experience of the hon. Member for the Rugby Division (Mr. Cobb). Warwickshire is not very far from Oxfordshire, and I venture to suggest as an explanation of the difference of opinion which apparently exists, that Chambers of Agriculture, when discussing questions of this sort, are very apt to catch a certain amount of colour from the Members of Parliament who attend the discussions. I hope my hon. and gallant Friend will persevere with the Bill. There are no animals more easily exterminated than hares. There is no question more often asked than when this Bill is going to be passed. The hare provides the only means of sport for thousands of the poor farmers, and there is no better means of promoting good-fellowship than to prevent its extermination. We do not want a large number of hares, because that would ruin sport. We only want two or three hares in a parish, and it is because we think they are going to be exterminated that we ask the House to pass this Bill.

(1.15.) Sir W. HARCOURT (Derby): My chief objection to the Bill is that it will extend the Game Laws, and that I think in itself will be a great evil. I know that opinion is not held by everybody. There never yet has been a time when an owner of land could not kill hares on his own property for the protection of his crops. This Bill will for the first time restrict that right. In old days the right could not be exercised without a game licence; but about 20 years ago it was considered proper to remove that restriction. Then, in 1880, the occupier of lands was given an inalienable right to destroy hares for the protection of his property. The hon. and gallant Member opposite has said that everyone is in favour of a close time for hares; but that view is not borne out by the Debates of 1880, when the question was fully discussed. In that year a gentleman well known for his acquaintance with, and interest in, agriculture—Mr. Ruggles-Brise—and who sat on the Conservative Benches, moved an Amendment to the Ground Game Bill confirming the right of the occupier to kill hares in the months of February, March, and April; so that the time, according to Mr. Ruggles-Brise, when occupiers ought to be allowed to kill hares is exactly the time you would prevent them doing so. Mr. Ruggles-Brise said he agreed with the Home Secretary that a close time for hares was not necessary, and added that it would be an uncalled-for interference with the rights of farmers, who ought to be allowed to kill leverets as an article of food. Ultimately the Amendment was withdrawn. I remember that an objection I took at that time to a close time, was that it would have an injurious effect upon small holders. The present Minister for Agriculture (Mr. Chaplin) whom I am surprised not to see in his place to-day, took part in the discussion. It was in the days of the right hon. Gentleman's unregenerate condition, before he had sat at the feet of the Gamaliel of Bordesley; but even in those days he declared that, in connection with market gardens, there ought to be unlimited power to kill hares at all times. Mr. Hunter Rodwell, a very considerable authority, both upon sport and the feelings of tenant farmers in Cambridgeshire, was opposed to a close time for hares. Eventually, a definite Amendment was moved on the subject. It ran as follows:—

> "No person shall kill or take hares between April 1 and August 1 in England and Scotland, and between April 20 and August 20 in Ireland."

That Amendment was rejected on a Division. Lord Wemyss, who sat in this House then as Lord Elcho, and who certainly was not an enemy of sport, said that, in the interests of sport, it would be reasonable to have a close time; but that if the intention was to promote good husbandry by keeping down game there ought to be no close time. Mr. Beresford Hope, among others, opposed the Amendment on the ground that hares injured plantations by eating the young shoots. The proposal is now made to establish a close time in spite of the decision arrived at in 1880. The promoters of the Bill urge in its favour that it provides for the intervention of the County Councils. For my part, I am not sure that this is a point to which much importance ought to be attached, for in some places the County Councils are very much what the old Quarter Sessions used to be. I hold, also, that it would be a great mistake to entrust the

County Councils with game legislation. If there is anything that will certainly render them unpopular it will be to give them the power of making new Game Laws. It is urged as a reason for the introduction of this Bill, that hares are becoming extinct. I deny the truth of that statement; it is contrary to the evidence of my own senses. In the county in which I live, where there are no large estates and no special preservation, there certainly is no paucity of hares. The week before last a master of harriers in my neighbourhood found in one morning three or four hares, and a friend of mine in this House has told me that on an estate in Yorkshire 400 hares were recently killed in one day. For a moderate man surely that is enough. On another estate in the same county—not an estate of great dimensions—I understand that 250 hares were killed in a day. Therefore, there does not appear to be any paucity of hares in the county from which the hon. and gallant Member opposite comes. No doubt there are not as many hares now as there used to be, and I am glad of it. I remember the days when it was a common thing to see carts full of hares coming away from the coverts. The farmers all over the country very justly complained; and now, where there was great abuse in the preservation of hares, hares have been killed down. Then it is said the farmers universally desire this Bill, but I do not believe that. I have had a good many letters on the subject as well as my hon. Friend. I suppose we see the opposite sides of the shield, his correspondents approve of the Bill, mine disapprove of it. The hon. Member for Warwick has given us some valuable testimony as to the views of the farmers, in whom my hon. Friend believes. The argument of my hon. Friend is that farmers want protection against themselves, and against each other, and he used what seemed to me a rather amusing expression, that a man kills on his own land not only his own hares but other people's hares. But, how are they other people's hares when a man finds the animals on his own land eating his crops? Those are a man's hares which he finds on his own land. If I see a hare eating my carnations I do not ask whose hare it is, I destroy him, if I choose, because he is on my land eating my flowers; and the distinction my hon. Friend draws between a man's own hares and the hares of other people is one I do not understand. My hon. Friend seems to imagine that hares are domestic animals, forgetting, for the moment, his own remark that hares are great travellers. The rabbit may be considered a domestic animal, he does not go far from his burrow, his range is limited, but the hare travels far afield. This argument comes strangely from the Benches opposite. Whenever it is proposed to put down a public house, because it is unnecessary, and a temptation to the people around, then the remonstrance is raised that this is an interference with liberty and the right of property, but I wonder what the Property Defence Association say to a Bill of this kind, which undoubtedly is an interference with liberty and rights of property, for it declares that a man shall not kill his own hare—as I call it—on his own land when the animal is destroying his own property. But though gentlemen opposite are continually denouncing and attacking the principle of interference with the rights of property in reference to public houses, or Trades Unions, or anything else, because it may be an advantage to somebody else, all these fine principles disappear the moment you come to the question of game; then liberty and rights of property disappear, and there is no principle they are not ready to invade. If it were true that all farmers are in favour of the Bill, I, for one, should be extremely glad to hear it. I should be extremely glad to hear that farmers are so well off that the only thing they really need at the present time is more hares. That would relieve us from many terrible apprehensions of agricultural distress of which we have heard so much, and perhaps we shall have no more demands for Imperial subsidies in relief of local rates—especially after the admission by the Minister for Agriculture that the whole of such relief goes ultimately into the pockets of the landowners. This intimation that the farmers of England are in favour of more hares seems to me to indicate a sort of superabundance of wealth, a plethora of prosperity such as we hardly expected the class to possess. So far, no doubt, the statement is very satisfactory. But I confess to being a little sceptical on this subject, this unanimity in favour of the Bill. If it were only the big men I should care very little about it. I think the big farmers are quite able to take care of themselves, and will take care of themselves. But they will probably not be affected by the Bill, and I will say a word or two on another class of agriculturists directly. Then there is the great argument, the "food of the people," and this, I find, is put into the Preamble of this Bill. I hope my hon. Friend will not be offended if I say there is a slightly insincere Preamble to his Bill. I find there is another proposal for legislation before the House this Session, there is a "Possession of Game" Bill which is to prevent the importation of certain kinds of game from abroad, and that seems hardly consistent with this great anxiety about the "food of the people." But I do not find, nor does my hon. Friend even assert that there is any scarcity of hares in the market. I listened very carefully to what he said as to the evidence of salesmen, which entirely confirms the information I have. He said there was a diminution in the supply of English hares, and I am glad of it, but there is an increase in the importation of foreign hares, and, consequently, no decrease in this form of food for the people. There are hares which feed on the produce of English farms, and a very good thing for the food of the people that is. As I was driving from the station yesterday, I passed a poulterer's shop, in which was exhibited a placard "Hares are cheap to-day." That does not support the "food for the people" argument. But while on this point of food for the people I would ask, what are you going to do about leverets. We most of us know that in the "gameous months" of June and July the only game to be had is leverets. Is no leveret to be allowed to be killed during the months of May, June, and July? Really, I must again say that this argument of food for the people is insincere. Food for the people! Why, how much food do hares destroy? What do you think is the effect of half a dozen hares in a field of turnips in such a winter as we have had? We know when pieces are bitten out of the sides of turnips, and we have such frosts as we have had this winter, that these turnips are destroyed. How much food for sheep is in this way destroyed? To increase the number of hares on the ground of increasing the supply of food for the people is all nonsense; indeed, it tends to diminish the supply of food for the people. Then there is another favourite argument in favour of this Bill, which I may call the cruelty argument. Now, I confess I cannot help calling that with all respect to those who use it a hypocritical argument. I should like to know whether those tender-hearted gentlemen who are so indisposed to kill hares during the breeding season are going to cherish them as the poet Cowper did his hare when he watched the animal's gambols in his orchard. I do not think there is any such object in the preservation. No, these hares about which hon. Gentleman are so solicitous, are intended to perish by the mouth of chokebore or greyhound. The argument on the ground of humanity is carried almost to the limit of absurdity. I have in my time been fond of shooting, but I have always thought that it is a great drawback to hare shooting and extremely painful to a man of sensitive feelings to hear the scream of the wounded hare in the cover when the dog seizes it. I have never thought hare shooting the highest form of sport. I think we had better get rid of cant in these "food of the people" and "humanity" arguments, for these arguments do not concern the real object of this Bill. My hon. Friend objects to my calling it a Bill for the promotion of sport. Now in a legitimate way I am as little against sport as my hon. Friend is, but I am against that old abuse of game preserving which, I hope, has been put an end to by the Act of 1880. We have got rid of that enormous stock of hares kept up at that time, and I hope we shall not be allowed to return to that state of things under this or any other measure. I am extremely glad to hear what my hon. Friend has said in regard to coursing, and certainly not for such a purpose should we keep up the stock of hares in the country. I have no hostility whatever to keeping up a fair head of game, either of hares or any other kind of game, so long as this is done under conditions not injurious to the farming interest on small holdings, but I do object to a man being deprived of the right—of what was made an inalienable right by the Act of 1880—of doing what he likes on his own land for the protection of his own crops. It is because this Bill invades that principle that I am hostile to it. Now, I will say a word or two upon the operation of the Bill as affecting small landholders. I do not care about the large farmers, though I am glad to hear they are so prosperous that they do not care how many hares there are on their land. I am not concerned about such farmers as he in the story who, having had three days' hunting and two days' coursing, did not know how to occupy the sixth day. Not for the large farmers am I at all solicitous. We live in days when everybody is or professes to be in favour of the increase of the number of small holdings, even the Minister for Agriculture is now in favour of this principle. And how is this Bill going to operate as regards small holdings? I do not see the hon. Member for the Bordesley division present, who should be ready to protect the right of the small holder to protect his crops. We all hope or profess to hope that there will be a large increase in the class of *petit cultivateurs*, who will rear little crops of cabbages, carrots, cauliflowers, peas, and other produce by which they will turn a few shillings to aid them in the struggle for existence. Suppose a hare or two should get among these crops in the night just now when it is proposed to create a close time, and when after a dismal winter we are waiting to see the first blades shoot from the ground. There is no living creature that will discover the first appearance of crops sooner than the vagrant hare, and you are actually going at the very time when hopes of agriculturists are rising with the early growth, to prevent a man from killing the animal who is ready to commence its depredations. A more monstrous and absurd proposal it is impossible to conceive. If this Bill passes its Second Reading I shall propose an Amendment that every holder of 20 acres or under shall have the right to protect his crops; it is not a question of gardens, but of small holdings; and another Amendment I shall again propose, that no man shall be sent to prison for killing a hare on his own land for the protection of his own crops. A greater scandal on the administration of justice was never exhibited than the sending a man to prison for an offence of that character. I look at this matter from the point of view of the small holder—*pro aris et focis*—and not from the view of the country squire educated at Eton who rendered the phrase "for his hares and foxes," which perhaps to some country gentlemen have the importance the ancient Roman attached to *aris et focis*. But depend upon it, there is a very strong feeling on this subject among small holders. I regard myself as a law-abiding man, yet I should certainly form a sinking fund to provide for the fines for my right to kill hares in defence of my own crops. There are others who may not be able to pay the pecuniary penalty, and are they to be sent to prison because in defending their crops against the depredations of hares they infringe a regulation of a County Council? I learn from this Bill that it is proposed to impose a penalty of 20s., and I am sure a magistrate's clerk must have suggested the words "and costs." Somehow they always manage to make the costs considerably exceed the fine. It is a practice against which, while I was at the Home Office, I laboured almost in vain. A fine of 2s. 6d. or 3s. may carry with it costs of 15s. or 20s.; therefore, it comes to this: that a man who destroys a hare devouring his crops may be fined 40s. or sent to prison, under this Bill. That is a sort of legislation you think will commend itself to small holders throughout the country? The Parliament of 1880 would not have it, and it will be a measure of the distinction between the Parliament of 1880 and the present, if this Bill is passed now. My hon. Friend has referred again to what I have said as to the operation of the Game Laws, and I attach great importance to that. I do believe that the Act of 1880 had no better effect than what it achieved in this—that it kept the gamekeeper a great deal off the land of the occupier. Formerly he was always there, and was regarded very much as a spy, and very often as a tyrant. I remember once in Yorkshire—a county to which, with my hon. Friend, I belong—talking with a farmer soon after the passing of the Act of 1880, and the farmer said—

"It is a very good thing in the Bill, Sir, that the keeper will now have to *consöölt* us instead of *insöölt* us."

That is a very favourable change in the relations between them, that the keeper has to pay some consideration to the occupier if he wants to preserve his game. Now my hon. Friend says, how will this Bill interfere with a keeper going on a man's land? Well, there are many lands on which there are no partridges or pheasants, and these can take care of themselves; but the gamekeeper in looking after hares in close time will be brought back on the land in a manner that I believe will be very objectionable. I do not know what is going to be the fortune of this Bill, and I must say that having a Minister for Agriculture, I think he ought to be here during a discussion of this kind. My hon. Friend has referred to the "Wild Birds" Act by which the decision of Quarter Sessions requires the sanction of the Executive Government through the Home Secretary, and that is a very proper provision, and I do not think that in a matter of this kind affecting the agricultural interests and the conditions of social life in the country, we should be without the opinion of the Minister for Agriculture. For my part I retain my opinion and am as strongly opposed to the Bill as ever I was. There is nothing I have seen during the last ten years with so much satisfaction as the marked diminution of crime throughout the country. Look at our criminal statistics and our prison returns. There are fewer people in prison and this is due to many causes, and is a satisfactory feature of our time. Well, it should be a warning to us not to create artificial offences. Conceive what happens to a man if he comes under the operation of a Bill such as this which creates what I call an artificial offence. He gets sent to prison, and his wife and children are ruined by it. He is a marked man ever after, for he has been imprisoned. But will you persuade that man or can you convince anybody that it is an offence in the sight of God or man deserving imprisonment, that a man has killed a hare on his own land? You cannot—it is not in the nature of things that you can. My hon. Friend, and those who support this Bill, cannot have given sufficient consideration to these things. Conceive the possible effects of this Bill. If one man is sent to prison for killing a hare in close time, do you think that all the sport you can have can compensate for the evil done in that way, for the evil spirit you will have raised through the consciousness of injustice suffered, by the creation into an offence of an act which is not an offence, and for the purpose of promoting an amusement which, in itself, I do not condemn? You ought to be extremely careful of the consequences of legislation of this kind. One of the great causes of the diminution in crime is that there are not now those convictions for poaching offences which some 10 or 20 years ago were a reproach to the country. The Game Laws produced evils of the gravest character. I do not envy the feelings of that man on whose estate, and owing to over preservation, a murder has taken place in a poaching affray. The change that has taken place in this direction, I am happy to think, is due to the Act of 1880. Other causes have operated, no doubt, but do not let us, while we are talking of improving the conditions of life for small holders in the country, do anything by inconsiderate, not to say selfish, legislation of this kind, which may tend to restore a state of things we are all glad has ceased to exist. If people want to preserve hares they can do so, but if they do not want to preserve hares any penal legislation to compel that preservation will bring with it greater evils than any advantage that can possibly be gained. I entreat the House to consider this matter most carefully, and to reflect whether it is worth while to pass a Bill of this character, the benefits of which must, in any case, be comparatively small, but the social evils of which may be of the gravest kind. (2.0.)

*(2.15.) Colonel GUNTER (Yorkshire, W.R., Barkstone Ash): I am somewhat diffident in following the right hon. Gentleman the Member for Derby (Sir W. Harcourt) in his discursive speech, much of which had nothing to do with this Bill. The right hon. Gentleman spoke of the measure as a rich man's Bill. My view of it is just the opposite. It is, in my opinion, a poor man's Bill—a tenant farmer's Bill. The right hon. Gentleman said it would be very hard if the occupiers of small holdings, where carrots and cauliflowers and so forth are grown, could not kill

hares. But such holdings would come naturally under the head of small gardens, which are exempted from the Bill. He also talked about a man doing what he likes with his own. I would remind him, however, of the Wild Birds Protection Act, under which a farmer near the sea would be prohibited from shooting at a flock of birds settling on his crops. The right hon. Gentleman is very anxious to protect men with small holdings. On Friday last, before I came up from Yorkshire, a yeoman of the old school, who owns about 50 or 60 acres, came to me and asked me to do what I could for this Bill. He told me that on the previous day he had seen the shepherd of a neighbouring farmer shoot two hares which came on to his ground and died there, and they were both does full of young. I myself farm nearly 1,000 acres in Yorkshire, and so I know pretty well what damage is done by hares, and it amounts to very little. Rabbits do a great deal of damage. Hares sometimes stand on their hind legs and eat off the shoots of young trees, but, with this exception, I consider them very harmless animals. One hon. Member said he would not oppose the Bill if it were directed against selling alone. He must bear in mind that the sale of young animals which are not fit for food takes place usually in public houses, and they are generally paid for in drink. No poulterer would buy a hare that is heavy with young or giving suck. The small holders in Yorkshire are among the men who are most anxious for the passage of this Bill, and I shall certainly go into the Lobby in its favour.

(2.20.) Mr. H. T. KNATCHBULL-HUGESSEN (Kent, Faversham): As a representative of an agricultural constituency, I shall give this Bill my vote. I hav listened to the very long and somewhat discursive speech of the right hon. Gentleman the Member for Derby. I suppose that, inasmuch as certain public matters do not appear to him to be of such vital importance as they used to be, he has spent the Recess in studying the provisions of this Bill, and I cannot help thinking he has discovered a great deal more in it than its promoters imagine to be there. He has declared that the Bill is an indication of an opinion on our part that

Colonel Gunter

what we regard as the agricultural depression is a mere myth, and that all the farmers want is more hares. He said that under this Bill, if passed, farmers would see their turnip crops gradually disappearing. He forgot, however, that under the Bill the farmer, or anyone else, could snare, or kill, or trap a hare during the month in which the turnip crop exists; unless, indeed, in Hampshire, agriculture is conducted differently from what it is in the rest of England. The two points on which the Division will shortly be taken are these: Is it true that under the existing legislation hares are, in many parts of the country, nearly extinct, and do the people who will be most affected by this Bill desire it? The right hon. Gentleman denies that in many parts of the country hares are nearly extinct. Respecting my own district, I can assert positively that a hare is now a very rare animal. Where formerly there were 50 there is now one. In the Island of Sheppey, which forms part of my constituency, the farmers combine to preserve hares for coursing purposes, and to shoot a hare there would be considered as great a crime as to shoot a fox in hunting counties. I believe that the reason why farmers do not generally preserve hares is that they find it difficult to combine, and they shoot those they find on their land because they think if they do not someone else will. I shall vote for the Second Reading, believing that the Measure is desired by the agricultural population and that it will be beneficial and useful.

(2.26.) Mr. H. J. WILSON (York, W.R., Holmfirth): I understood the hon. and gallant Gentleman who moved the Second Reading to say that a large number of Petitions, numerously signed, have been presented in favour of the Bill, as contrasted with only one signature against it. I do not know when those Petitions were presented, but I find that during the present Session there have been only two presented in its favour, with 94 signatures.

Colonel DAWNAY: I said when the Bill was first brought in five years ago.

Mr. H. J. WILSON: I wonder the hon. and gallant Gentleman does not see what conclusion should be drawn from that. In past time there was a degree of feeling in favour of this Bill, but now that feeling has passed away, and during the present Session there have been only two small Petitions in support of it. Surely if it had been thought that hares were becoming extinct there would have been a general outcry. Farmers find that hares which have been preserved on their neighbours' lands descend upon them and devour their crops, doing enormous mischief. The hon. and gallant Gentleman said that Lord Durham had no difficulty in the mining district in Durham in preserving hares. Of course, if the population is unanimously in favour of preserving hares there would be no difficulty, but if not why should you pass a Bill which would enable hares to feed on the crops of those who do not desire it? The hon. and gallant Gentleman said he had received a communication from the Society of Advocates in Aberdeen in favour of the Bill, but I do not think he has shown that there is much popular sympathy with it. Statements are made upon this point which vary considerably. I remember that it used to be said that two hares would eat as much as one sheep, and nowadays when we hear so much about the absolute necessity of avoiding any interference with the food of the people, we find that hon. Gentlemen opposite have no hesitation in supporting a Bill which will have the injurious effect on the food of the country which has already been described. In my opinion the time of day for this sort of thing is past, and that if people owning or occupying land in any particular district desire to preserve hares for any purpose there is no difficulty in the way of their doing so, as has been pointed out by the right hon. Gentleman the Member for Derby. We, however, object to the passage of a Bill which will have the effect of producing an additional number of ground game at the cost of a far more than proportionate value of the people's food.

*(2.30.) THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Hallam, Sheffield): I wish to speak in the interests of those who may be designated as the moor-edge farmers, who will be specially affected by the passage of this Bill. A very large portion of my constituency extends up to the moor-edge in a large agricultural and pastoral district, and I may say that, speaking solely in my individual capacity, and as the mouthpiece of my own constituency, but not in any sense as representing the Government, I shall support the Bill in compliance with the urgent representations I have received. I wish to emphasise the fact that I do so in the interests of the humbler classes—the small moor edge farmers and the working men in the adjoining town, who follow the ancient, wholesome English practice of hunting the hare with harriers, following them on foot. The records of the organisation of packs of hounds for this purpose goes back for centuries, and the sport is regarded as ancient, honourable, and wholesome. Having regard to the urgent representations that have been made to myself, I cannot believe that the farmers in the constituency of the last speaker, which adjoins my own, wish to see the Bill defeated. These farmers think that a close time for hares is the only thing that will save their sport. There are two things which they say—first, that the sale of immature hares goes on in consequence of the absence of the close time, a fact which I recommend to the appreciative attention of the House in view of the circumstance that the Bill contains no clause dealing with the sale of hares. In the second place, they say that though the farmer has the fullest right to spare hares during the proposed close season, an unfortunate effect of the Act of 1880 is the production of a belief that hares are common property, and that any one may go anywhere and kill them as freely as he pleases. It was not foreseen that this would lead to the gradual extinction of the females during the proposed close season, and that this would involve the extinction of the sport. The right hon. Gentleman the Member for Derby has very properly invited the attention of the House to the case of the small men. It is on behalf of the small men that I now speak, and I cannot think the resources of draftsmanship would be unable to amend the Bill so as to meet the cases of farmers whose crops are being destroyed by the over-preservation of hares. If that objection were got rid of, there does not seem to be any other objection to the Bill which could

not be dealt with in Committee. It may be right to give to County Councils such a discretion as was given to a Government Department with respect to wild birds; but the absence of a controlling authority in a State Department is no reason for objecting to the principle of the Bill. The right hon. Member for Derby asked whether masters of harriers had any difficulty in finding hares. It may be they have no such difficulty in the neighbourhood of the New Forest; but the smaller and humbler classes on the moor edge have sent me here to say that they do have great difficulty in finding hares. The House may judge from the absence of Ministers from the Treasury Bench that the Government will view the passing of the Bill in a philosophic spirit; and for myself I hope the House will give a Second Reading to a Bill the principle of which is that a tenant shall have the same rights as a landlord in ground game, and neither more nor less.

(2.36.) MR. C. WILSON (Kingston-on-Hull): I desire to say a few words for the purpose of explaining why I regard this Bill as a measure of a reactionary character. It has been said that the measure has the almost unanimous approval of the farmers of this country; but, for my part, I can hardly believe that you could get a meeting of the farming interest in any large agricultural district at which, if the question were put as to whether those present were in favour of this Bill or not, the unanimous vote of the farming interest would not be raised against it. [Several hon. MEMBERS: No, no.] Hon. Members say "No," but I have had a considerable amount of experience, and possess a certain amount of knowledge of what are the opinions of the farmers on this game question, and I maintain that my opinion is correct. The right hon. Gentleman the Member for Derby has made a somewhat lengthened speech on the subject, and has gone into almost every detail connected with the question. To my mind, at any rate, the arguments he has adduced against the Bill are such as it is absolutely impossible to confute. Perhaps the arguments which of all others would have most weight with me is that this Bill in reality proposes to create a new sort of crime or offence that will tend to bring the agricultural population under the ban of the law. To my mind, even if one man in a village should be convicted and punished for an offence under this Bill, that would be almost in itself a sufficient argument against the Bill. If it be true that a larger number of hares is wanted in different parts of the country, that is a matter which depends very largely on the good feeling of the farmers. If the farmers consider it to their advantage that hares should be preserved they have the means of keeping them up, the hardship resulting from the increase of ground game is one which is undoubtedly felt more keenly by those occupying the small holdings than by the occupiers of the larger and wealthier farms. If the farmers are to be deprived of the means of guarding themselves against the heavy damage which may otherwise be done to their crops at such a season as this, the result may be almost the entire ruin of the poorer class of agriculturists. We see, however, now that the question is being fully argued, that hon. Members on the opposite side of the House are ready almost as a solid body to support this measure, though I trust that on this side we shall find very few who are willing to vote for it. I think I have seen it stated in the public Press that the hon. and gallant Gentleman who has introduced this Bill does not propose to stand again for a seat in Parliament. Therefore his action in this matter may be of little moment with regard to his constituency, but I very much doubt whether several hon. Members who are supporting this Bill will not find when they go before their constituencies in the agricultural districts that those electors will take a very different view of what is for the benefit of the agricultural interests from that which is taken on the other side of the House. There can be little doubt that any good landlord who is desirous of preserving ground game can easily obtain the good will of his tenants, and thus obtain as many hares as he may desire. My own experience is that such, as a rule, is the good nature of the tenant farmers that they would rather suffer from an excess of game than willingly disoblige their landlords. One of the difficulties which has to be faced in dealing with this question is that of selling hares out of season. We know that there is a large and constant importation of foreign hares from Russia, Hungary, and Germany. They are brought here in considerable quantities, and sold at very reasonable rates. Only last week the question was brought before the Hull Chamber of Commerce, and a serious complaint was made against the passing of a Bill making it illegal to sell game at this season, because such a measure would have the effect of depriving a portion of the population of a cheap article of food. It must be remembered that times have greatly changed in regard to the means of furnishing food for the people. Communication between this country and the Continent is now so rapid that we can obtain game from Norway, Sweden, Russia, and other countries by steam vessels which bring that game to us at the cheapest rates. This sort of thing did not exist in former years. One of the arguments in favour of this Bill is that it will increase the food of the people. The tendency of legislation of this kind is in the opposite direction. It imposes restrictions on the importation of food, and is a Protectionist measure which operates against the commoner. Foreign game is extremely cheap. At the Hull Chamber of Commerce, two or three days since, one of the members made a long statement on the subject. He said in the Port of Hull alone he had imported 89,000 head of game—partridges, ptarmigans, hares, and black game. Ptarmigans cost 1s. 8d. a brace; partridges, 2s. and 2s. 6d.; hares, 1s. 3d. to 3s. All this game was distributed in a perfectly sound condition. The tendency of all legislation of this sort is to interfere with the natural course of trade, and it is a false argument to say that it would increase the source of food, because the Bill would prohibit the sale of hares during the close season, and in consequence would prohibit the sale of foreign game at the same time. I am of opinion that we have a great deal too much legislation of this kind. I believe that this is altogether a retrograde measure; and if the farmers were canvassed, I have not the slightest doubt that the enormous majority of them would be found opposed to the Bill.

(2.50.) Sir H. JAMES (Bury, Lancashire): I was one of those responsible for the Ground Game Act of 1880, and I should like now to explain why I am going to vote for this Bill. My right hon. Friend the Member for Derby, as the author of that Act, was entitled to object to this measure passing into law. But I think we ought to take into consideration this fact, that we have now had 11 years' experience of the Act of 1880, and have had an opportunity of seeing the effect of its provisions. I believe my right hon. Friend has opposed this Bill mainly in the interests of the tenant farmer, and in that view I entirely concur. I do not think this is a question in which the interests of the landlord ought at all to be considered. I do not think that objeetionable person, the shooting tenant, ought at all to be considered. The only persons who I think are entitled to any consideration are the tenant farmers directly, and the public in a minor degree. In that view we have to determine whether this Bill should become law or not. With that object I have endeavoured to ascertain the opinion of the persons chiefly concerned, and I declare that of the scores of farmers whose opinion I asked, I found not one but would, if he had the opportunity, vote in favour of this Bill. [Sir W. Harcourt: No.] The right hon. Gentleman must have seen a different class of tenant farmers to those I saw. In 1880 the tenant farmer had no interest whatever in the hares; they belonged to the landowner except under very peculiar conditions, and never belonged to the tenant farmer. For 11 years the hares have belonged as much to the tenants as to the owners. The object of the Act of 1880 was to prevent the evil of excessive ground game, and under that measure the tenant farmers have had the right to destroy it, and certainly, so far as hares are concerned, the tenant farmer has the remedy in his own hands. Having that right he is perfectly satisfied. It is said by my hon. Friend the Member for Hull that he can preserve if he likes. He cannot do so, because no tenant farmer could exercise the right of preserving without affecting the whole district. And I would say that this taking of the female hare is a brutal act, besides which the hares are in such a condition that they are not fit for human food in many instances.

Mr. H. J. WILSON: Why should not the buyer distinguish?

Sir H. JAMES: How many buyers could decide which hare among a large consignment is or is not fit for human food? But, apart from the right to shoot, given by the Act of 1880, many tenant farmers by a good understanding with their landlords, and all owners, have the right to take, and for the purpose of coursing in closed grounds—a sport which I do not assume is commendable—is worth 15s., a sum which is constantly realised. I know what would be said to hon. Members opposite at any farmers' ordinary or agricultural meeting if they voted against this Bill. Not one of them but knows there is a strong feeling in the agricultural districts in favour of this Bill. It seems to be the Borough Members and not the County Members who are against the measure, and the constituencies of the Borough Members have no opportunity of knowing what has been the effect of the Act of 1880. I am very glad to see that my right hon. Friend's position did not meet with a complete echo from his usual supporters. I find the name of that veteran sportsman the Member for Swansea on the back of the Bill, and the right hon. Baronet the Member for Durham and the hon. Member for St. Pancras, the latter of whom generally shows strong Liberal tendencies, are also responsible for this Bill, by the success of which I feel sure the tenant farmers would be gratified.

*(2.59.) Mr. A. PEASE (York): The hon. Member for Hull said that if the farmers were canvassed their votes would be found unanimously against this measure. In the district of Cleveland a tenant farmer who neither shot, hunted with harriers, or coursed, undertook to ascertain the opinion of the tenant farmers there, and in only one instance was there any opposition to a close time. I regard this Bill entirely as a farmer's Bill. Large landowners will always have an opportunity of preserving hares on their estate, but many a small farmer who desires to have a few hares on his holding may be deprived of them through the conduct of one ill-natured man. There was one portion of the speech of the right hon. Gentleman the Member for Derby with which I sympathised warmly, and that was the part in which he pointed out the tendency in the Bill to bring the gamekeeper on the land of the tenant farmer. I believe that the gamekeeper is often a nuisance to the tenant farmer, and I should, if I thought the Bill would lead to the intervention of the gamekeeper, vote against it. But I do not believe it will have that effect. I look on the Bill as placing in the hands of the County Council a very desirable power. If we have any confidence in that body we have sufficient to justify us in entrusting it with a matter of this sort. For my part, I am quite content to place this matter in the hands of the people, feeling confident that they will deal justly with all classes of the community.

(3.3.) Sir F. T. MAPPIN (York, W.R., Hallamshire): This is a matter in which the general public are said to have a deep interest. Now I have had no communication from any of my constituents on the subject, and I feel satisfied that had they entertained any strong opinions on it they would have applied to their Parliamentary Representative. Gentlemen who support this Bill desire to have the state of things renewed which existed before the Bill of 1880 was passed. If they succeed in their object there will be a great outcry not only from the tenant farmers, but from all the landed classes except those who enjoy the sport of killing hares. Anyone who has had large experience in preserving game knows well it is not merely the corn and turnips consumed which constitute the great loss; they know that hares do an immense amount of damage by treading down the barley field. Again, as we have been told by the right hon. Gentleman the Member for Derby, since 1880 the tenant farmers have experienced much less trouble and annoyance from the gamekeepers, and we certainly ought not to desire to re-introduce the friction which existed before 1880. I therefore hope that the House will not assent to this Bill being read a second time.

(3.5.) Mr. ANGUS SUTHERLAND (Sutherland): I do not think that any justification has been shown for this Bill. Has it been proved that a decrease has occurred in the number of hares since the Bill of 1880 was passed? There is, in fact, a total absence of statistics on the point. This is an attempt by a side wind to do away with the benefits arising under the Act of 1880, and it is not an honest, straightforward endeavour to repeal that Act. The Bill itself is full of anomalies. Are we to understand that one County Council may fix one close time for hares, and the adjoining County Council a different close time? May one County Council adopt this Act and another refuse to enforce it? Is there to be a close time for hares and not for leverets? This Bill will create new offences; it will make that an offence not only to kill hares, but to do anything with the intention of killing a hare. I say that all these anomalies arise from the fact that this is an attempt by a side wind to do away with the benefits which have undoubtedly accrued to the tenant farmer from the Game Act of 1880.

(3.9.) Sir J. KINLOCH (Perth, E.): I wish to know if allotments and nursery gardens are to be excluded from the operation of the Bill? The answer to that question will influence the votes of a good many hon. Members.

Colonel DAWNAY, interposing, said: I intend in Committee to move a new clause expressly providing that the Bill is not to apply in cases where a hare or leveret has been killed, wounded, or taken inside a nursery or other garden.

Sir J. KINLOCH: How about allotments and small holdings?

Colonel DAWNAY: I will consider that point.

Sir J. KINLOCH: I should like that point to be clearly explained. There are many small holdings and allotments in the country, and the occupiers of them ought to have some means of protecting themselves. I have known cases in which hares have in the course of one night destroyed half an acre of cabbages, and, unless the Bill provides for such cases, it cannot be satisfactory.

*(3.10.) Mr. HOYLE (Lancashire, S.E., Heywood): I wish to draw attention to the Preamble of the Bill, which says that hares form an important article of food, and that owing to their marketable value it is important to provide for their protection during the breeding season. There is no question more important than that of the supply of food to our ever-increasing population; but the evidence adduced before two Select Committees of this House on the Game Laws conclusively proved that there is great loss in the production of this kind of food; and Mr. Clare Sewell Read, who will, I suppose, be accepted as an authority on the subject, told the second Committee that hares cost from two to three times as much as they are worth when they are killed, so that to produce hares worth 10s. costs £1 or 30s. On that ground, and on that ground alone, I think this Bill ought to be opposed. I represent a constituency 75 per cent. of whose food is imported, and it is a matter of vast moment to them that nothing shall be done to hinder a free supply of food. The right hon. and learned Gentleman the Member for Bury said that one farmer would destroy all the game in a district. But surely he would only destroy that on his own farm.

Sir H. JAMES: Hares travel.

Mr. HOYLE: True, they travel to where the food is best; so that if a farmer is more skilful than his neighbours—if he grows a better and more nutritious kind of food he will be the sufferer, for he will provide the food for the hares. The fact that hares do travel will make against the successful enforcement of the Bill by the County Councils: one County Council may order a close time for hares and another may not. It was proved in evidence before the Select Committee that hares will travel four miles in one night to their food and then go back to their seat. One witness, a farmer, told the Committee that one severe winter hares had travelled that distance to a field in which his turnips were stacked, and the result was that the whole of his crop was destroyed. What I wish to point out is, that instead of this Bill tending to increase the food supply of this country it will have the contrary effect. Every vote given in favour of the Bill will, in the large cities and boroughs, be interpreted as a vote for destroying food which should be devoted to the support of the people.

(3.15.) Mr. WINTERBOTHAM (Gloucester, Cirencester): I have no wish to delay the Division, but I desire to press the point raised by my hon. Friend the Member for East Perth, as the answer to that will determine our attitude towards the Bill. The big farmers can look after themselves, and, as far as I have been able to discover, they are in favour of the Bill, rightly or wrongly. But I am one of those who believe in the growth of small holdings. We know that hares are very destructive to cottager's gardens and allotments, and I want to know what the hon. and gallant Member opposite means by the vague term "garden." If he merely means nurseries, then in the interests of those who cannot defend themselves I shall vote against the Bill. The large farmer is able to defend and protect himself; it is the small holder who requires to be protected in this matter, and if the hon. and gallant Member who moved the Second Reading of the Bill will say frankly and plainly that he will exclude from the Measure all holdings not exceeding five acres, I will vote for it. Otherwise I shall vote against the Bill, and I would urge hon. Members who are in favour of small holdings to consider the enormous damage that may be done to this small class of people if the Bill is passed without some such protection as that to which I have referred.

*(3.17.) MR. MORTON (Peterborough): I shall oppose the Bill, for as far as I can gather there is no demand whatever for it except on the part of sporting men. The statement in the Preamble of the Bill as to the Measure being in favour of the food supply of the country is, I believe, absolutely incorrect. The food supply has nothing at all to do with the Bill, and I have the means of knowing this. I represent in the London Common Council one of the largest wards in the Metropolis, and a ward in which many of the great markets are situated, and directly any question arises affecting the food supply of the people the representatives of the ward are at once approached by those who conduct the markets. But neither last Session nor this have I received from these people any inquiry about, or demand for, this Bill, though, when the Possession of Game Bill was before Parliament, they immediately called on their representatives to oppose the Measure because it was prejudicial to the food supply of the country. Therefore, if this Bill were in favour of the food supply, as it purports to be, those connected with the largest markets of the country would have immediately requested hon. Members to support it on that ground alone. In the absence of such evidence I am justified in repeating that the Bill has really nothing to do with the food supply of the nation. All the arguments that have been urged in favour of the Bill have been more or less on sporting grounds, especially that form of sporting known as coursing. I know of no more cruel sport than coursing, which is kept up simply for purposes of betting and gambling, and if for no other reason than this I shall consider it to be my duty to oppose the Bill. We have been told that farmers want the Bill, but as far as my experience goes—and I have been about the country to some extent—I have found that the farmers have always opposed the keeping of hares altogether, because they are against the agricultural interest. It is all very well to say that the county Members are all in favour of the Bill. We know that they do not always have regard for the interests of the tenant farmers as was proved by their action on the Tithes Bill. I trust that after the able speech of the right hon. Gentleman the member for Derby, those who desire to promote agricultural interests will feel it their duty to vote against the Second Reading of the Bill. At any rate on the grounds I have mentioned I shall vote against the Bill, and I am sure that in doing so I shall be acting in the best interests of the farmers of the three Kingdoms.

(3.22.) The House divided:—Ayes 124; Noes 63.—(Div. List, No. 118.)

Main Question put, and agreed to.

Bill read a second time, and committed for to-morrow.

Original Question put, and agreed to.

RELIGIOUS EQUALITY BILL.—(No. 19.)

SECOND READING.

Order for Second Reading read.

(3.35) MR. CONYBEARE (Cornwall, Camborne): In moving the Second Reading of this Bill, I do not propose to trouble the House with many remarks. If I may judge from the interest taken in the question of the attendance of Registrars at marriages of Nonconformists, the principle embodied in this Bill is ripe for settlement. Already a Bill relating to the attendance of Registrars at the marriages of Nonconformists, introduced by a Conservative Member, has reached the Committee stage, and I apprehend that the only question is, how the object and principle of the measure is to be carried out. The object of this Bill, so far as the question of Registrars is concerned, is identical to that of the Bill to which I have just referred, and, therefore, I think I may fairly claim approval of my Bill in that respect. I have been reproached or taken to task by some friends of mine for not proceeding in the matter of Registrars upon wholly different lines. It has been suggested to me it would have been better if, instead of permitting marriages in all cases to take place without the presence of a Registrar, I had provided that the attendance of a Registrar should be compulsory at all marriages. The reason why I did not find myself able to proceed upon that line was that I have brought in this measure for the purpose of removing a grievance suffered by a large section of my constituents. An instance has been brought under my notice of a bridal party coming to a chapel in the town of Camborne for the purpose of having the marriage ceremony performed, and being compelled to wait for over an hour while the Registrar was found. I have come to the conclusion that the simplest way of obviating such inconvenience in the future is to dispense with the presence of the Registrar altogether at marriages. I propose that the regulation laid down in respect to the Nonconformist denomination shall apply also to the Church of England, and it is because I am endeavouring to assimilate the law in respect to all denominations that I use so large and general a title to my Bill as the Religious Equality Bill. I think the House will agree with me that it is better in the interests of Christianity and of the different denominations, that all these causes of friction should be swept away, and that we should, where no privileges are infringed, or even where unjust privileges are infringed, endeavour to place different classes of Christians on an equal footing. I hope Members on both sides of the House will, therefore, accept the principle of the Bill. I think the view I have taken will commend itself to those who are more particularly associated with the Church of England, because, although I cannot see the reason for it, I can undoubtedly appreciate the point of view of those who are closely associated with the Church of England respecting the attendance of a civil officer at their religious ceremonies. In the proposal I make I offer relief to all the clergy of the Church of England, and impose no onerous burden on them in any sense. I propose to relieve them from the duty which I should imagine to be a more or less burdensome one of keeping registers in the parish churches. I do not say they shall not keep them, if they think it desirable, but I propose to require that the register shall be kept by duly appointed civil officials, and that the clergy shall be relieved of all liability in connection therewith. The machinery I propose is this: the certificate or licence for marriage having been issued in the first instance by the Registrar, the parties will go to the church or chapel with such a certificate or licence and hand it to the officiating clergyman or minister, who will fill it up according to the properly authorised form. It will be signed by the clergyman or minister, the parties to the marriage, and at least two witnesses, and sent by the clergyman or minister in a registered envelope, free of charge, to the Superintendent Registrar of the district. There are, of course, certain provisions for the prevention of fraud and the prevention of unauthorised marriages, and so on. I do not say the Bill is perfect in these particulars, but they do not affect the principle of the measure. I may say, however, that one provision is that when a certificate or licence has been issued by the Superintendent Registrar it shall not be valid for more than three calendar months. The second part of the Bill relates to the Amendment of the Burial Law, but only one of its provisions embodies any considerable departure from the present law. I take it that the question of the reduction of the notice from 48 hours to 24 hours is one of detail which will not be a matter of religious controversy. The reason for such a provision is that in many years it is very difficult to give so long a notice as 48 hours, and in some cases of disease it may be really a matter of sanitary regulation that the length of notice should be reduced. Sub-section 4 provides for an extended period of the day during which burials may take place. At present they cannot take place after 3 o'clock. I propose that they shall be allowed to take place up to sunset. As to Sub-section 5, dealing with the question of fees, the Nonconformists feel it to be a great grievance that when they bury their dead they should have to pay the fees, not to their own minister who performs the ceremony, but to the clergyman of the parish church, who has nothing whatever to do with it. I should not object to an Amendment giving the Nonconformist minister half the fees. By Sub-section 6 I have endeavoured to alter the law in favour of Nonconformists in a few small matters, such as permission to have the church bell tolled, and to have the use of planks, &c., and the aid of the officials of the Church in connection with burials. Then there is a provision that if any representative of a deceased person has been buried in the graveyard of a Church, and the representatives of a relative desire that his body should be buried in the same place, this shall be permitted, although he is not resident in the same parish. It may be suggested that non-parishioners have no recognised right to burial in the parish churchyard, and therefore the present law, which permits a clergyman to refuse to allow a Nonconformist minister to take part in the service in such a case, is perfectly reasonable. But a case has occurred in the last few weeks in the City of Truro, which shows what scandal and annoyance may arise from the present provisions of the law. On the 13th of February last a lady was buried in the graveyard of St. Mary's parish, Truro. The custodian of the burial ground is the Rev. Canon Burt, sub-dean of the Cathedral of Truro; and, although the lady was a Wesleyan, Canon Burt refused to allow the Rev. W. H. Thompson, the resident superintendent of the district, to take any part in the service, solely on the ground, as stated in the Press and not contradicted, that the lady at the time of her death was not residing within the limits of the parish to which the graveyard belonged, although she had resided for 40 years within the limits of the parish. Her father had been one of the ministers appointed at Truro when the Wesleyan Chapel of St. Mary's parish was built, and two of her sons are at the present time Wesleyan ministers. A great deal of ill-feeling has been occasioned by this refusal of Canon Burt, who, being a new comer, may perhaps be excused for not understanding the strong feeling which prevails in the district. The irritation has been intensified by the refusal of Canon Burt at a Vestry meeting to allow any reference to be made to the subject, on the flimsy pretext that no notice had been given of the intention to bring it forward. I have only to add, that although this lady whose burial was the occasion of this dispute was not at the time of her death a resident within the boundaries of the parish, her place of residence was within a stone's throw, she having removed from one part of the street to another, which was some 200 or 300 yards beyond the parish boundary. The refusal, therefore, was an arbitrary act, to say the least of it, because this lady was living within the limits of the city. She had not removed to a distant part of the country, but was living close to the parish within which she had lived for 40 years, and in the grave-yard of which parish her nearest and dearest relatives had been buried. I think it will be agreed this was an unnecessary and unfortunate raising of religious prejudices and animosities, and it is desirable that such should not occur under the law of this country. I have no doubt that other Members can bring forward cases illustrating this point, and in justification of such a provision as this I have referred to and contained in Sub-section 3 of Clause 15. This, I propose, with a sincere desire to put an end to such cases of unseemly strife between members of the same religion, though of different denominations. For this purpose I ask to be allowed to move the Second Reading of a Bill, the principle of which I hope that the House on reflection may be disposed to accept.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Conybeare.*)

*(4.4.) Mr. J. G. TALBOT (Oxford University): I rise to move that the Bill be read a second time this day six months, and in doing so it is not my intention to trouble the House with an

elaborate argument, for I think I can show in a very few words that the provisions of the Bill are not such as the House can possibly accept at the mere suggestion of the hon. Member. My primary objection is to the title of the Bill as being altogether misleading, it does not indicate the contents. It is called a Bill for Promoting Religious Equality, a high-sounding title indeed. Religious equality, no doubt, is a subject of grave importance, but it is hardly to be dealt with, I think, by the removal of a grievance under which the hon. Member says Nonconformists suffer in the county he represents. To bring about religious equality in its full sense, of course we must do a great deal more than the hon. Member proposes in his Bill. We must disestablish the Church of England in the first place, and we must provide for an alteration in the law which requires that the Sovereign of this Kingdom shall be a member of the Church. No one from the title would suppose that the Bill is to remove a particular grievance such as the hon. Member has alluded to. If the hon. Member wishes to secure religious equality let him go to the root of the whole matter and bring forward a proposition for disestablishing the Church of England, and see what the House thinks of that. For my part, I doubt if religious equality can ever be secured, but, at any rate, it cannot be accomplished by this Bill. So far as the Bill relates to the marriage grievance and the attendance of Registrars, upon which there is a great deal to be said, that surely is a matter upon which we are hardly entitled to enter here, for there is before the House a Bill introduced by the hon. Member for Lincolnshire (Mr. Atkinson), to which, on the part of the Government, notices of Amendment have been given, notices which exceed the extent of the Bill itself. I only mention this as showing how important the subject is considered by the Government; and if there is a grievance it is desirable should be removed, and if it can be done on fair consideration of all interests, I have not the slightest objection to the removal of that grievance. But this can be done within the four corners of the Bill of my hon. Friend the Member for Lincolnshire, amended as is proposed by the Government. But to suppose that this Bill will accomplish the great object indicated by the title is an entire delusion, and though the country might well be startled on seeing the record of this Wednesday's proceedings, and on being informed that the House of Commons had resolved upon religious equality—because a Bill for that object, introduced by the hon. Member for Camborne, has been read a second time—I think a very little examination will show that the title is delusive. Then, to follow up those objections which begin with the title of the Bill, I find the first clause covers the whole of the churches and chapels in the Kingdom, and the Registrar is to affix a notice on all the buildings where marriages may be solemnised. Now, I do not think we want such notices stuck up on all our ancient churches that people may know that therein marriages may be solemnised.

Mr. CONYBEARE: I do not mean that in recognised places like churches this should be done, but in chapels of ease. I have seen such notices exhibited.

*Mr. J. G. TALBOT: That disposes of that point. And then I come to Clause 5, which proposes that the legal hour for marriage shall be extended to five o'clock. This is, I think, altogether undesirable. Five o'clock means after daylight during part of the year, and this is a perfectly gratuitous change in the law for which, so far as I know, nobody asks. Then I come to what is perhaps a still more important innovation proposed by the Bill, the reduction of the period of notice of funerals required under the Burials Act. On this I may make the preliminary remark that the Burials Act was the result of much discussion in this House, and the outcome of a long and embittered controversy, and the right hon. Gentleman the Member for Denbigh (Mr. Osborne Morgan) was the hero of that settlement of the question to which my friends and I offered strenuous opposition. But we found ourselves in a minority, and it became the law of the land. I put it to the House now, is it worth while to rake up again the embers of that old controversy? I put it to hon. Members above and below the Gangway, is it worth while from time to time to propose further alterations and irritate the minds of Church people, who had much to bear in that settlement, and have had many grievances, sentimental you may say, to get over? I do not think it is. I think the House will agree with me that the period of notice is not at all too long to allow of the accommodation of arrangements, which are not after all always very convenient. The relations between the clergyman of a parish and Nonconformist ministers are not always of the most friendly character, and it is just possible that Nonconformists, either the minister or the friends of the deceased, taking advantage of the very letter of the law might, under the proposed alteration, give the very minimum of notice and maximum of inconvenience. Again, the proposed alteration in the hours of burial gives so much less time for accommodation of arrangements, and increases the opportunity for friction. In these matters we all desire to avoid, as far as possible, anything that may give rise to religious animosities and friction, and to shorten the period of notice and the interval for making arrangements will increase the possibility of difficulties arising. Then a great objection arises upon the 4th sub-section of Clause 15, which proposes that burials under the principal Act shall be allowed between ten and sunset on any day in the year without exception.

MR. CONYBEARE: The hon. Member will not find the words "on any day" in the Bill. The Bill is subject to the principal Act of 1880, which, I think, excludes certain days. My Bill must be read in conjunction with the Burial Laws Amendment Act.

*MR. J. G. TALBOT: Of course if there are exceptions my objection does not apply in the same degree——

MR. CONYBEARE: I only wish to point out that the hon. Gentleman is reading into the sub-section words that are not in it, and that is hardly fair.

*MR. J. G. TALBOT: Well, I may be mistaken, and I will not press the point until I have referred to the Burials Act. At any rate, the hours for funerals are to be extended to sunset, and this I cannot but think is an uncalled for and undesirable alteration of the terms of settlement arrived at when the Burials Act was passed. Another objection arises on the 5th sub-section by which it is proposed that the burial fees shall no longer be paid to the incumbent, but to the person officiating at the burial. This clearly is a departure from the settlement which Parliament in its wisdom arrived at, and which naturally recognises the receipt of fees as part of the income of the incumbent. By the 3rd sub-section of the 15th clause the Bill provides that—

> "Where any relatives of the deceased person have been buried in the graveyard of a particular parish or church, and the person having charge of or being responsible for the burial of the deceased person desires that such person shall be buried in the same place, or where such deceased person has expressed such desire, the burial shall be permitted in such graveyard, notwithstanding that such deceased person was not at the time of decease, or had not been prior thereto resident in the said parish."

I am not quite sure how far the consequences of enacting such a provision as this may extend. It might be that the hon. Member himself having expressed a desire to be buried in Westminster Abbey, and one of his remote ancestors having been interred there, his friends might force such a burial upon an unwilling nation. There is no limit of relationship which may extend far back into the days of our Saxon ancestors. Why not, I say, leave these matters to the arrangements of good sense between the parties interested, why attempt to legislate in this manner, pushing matters to an extreme length? The hon. Member has quoted a case with which I am not familiar, and it appears that the objection of the clergyman was not that the deceased was a Nonconformist, but that she was not a parishioner. If the objection had been on the ground of Nonconformity there might be complaint——

MR. CONYBEARE: It was desired that the service should be performed by a Wesleyan minister, but the clergyman insisted on performing the service himself, and would not allow a Wesleyan minister to do so on the ground that the deceased was not at the time of death resident in the parish.

*MR. J. G. TALBOT: Well, the clergyman was perhaps half right and half wrong. He acted, it may be, injudiciously. I take the facts as the hon. Member presents them, and am not disposed to prejudice the question, but I do not think it can be treated altogether as a Nonconformist grievance. On the consideration of some of the matters with which this Bill deals, we have already entered by the Bill of my hon. Friend to which the Attorney General has given notice of serious Amendments. With the Burials Act I think churchmen have gone as far as they should be required to go, and I will be no party to re-opening the settlement arrived at, and raking up the embers of a bitter controversy. The difficulties that may arise may be settled by mutual arrangements, they cannot be satisfactorily removed by any legislation of this kind, and therefore I move the rejection of the Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Talbot.*)

Question proposed, "That the word 'now' stand part of the Question."

*(4.24.) Mr. G. OSBORNE MORGAN (Denbighshire, E.): The hon. Gentleman has coupled my name with the settlement of the burials question, and as I had the honour of taking charge of the Burials Act Amendment Bill, I may be allowed to say that there has been no such thing as a settlement of the question. We took all we could get, but it was far from being a settlement, and in many respects the result was most unsatisfactory, it merely touched the fringe of the question; and the best proof I can give that we did regard the Act as something short of a settlement is that within four or five years we brought in an amending Bill and have reintroduced it without success in successive Sessions. I am exceedingly sorry that the Bill coming on unexpectedly I was not present to hear the speech of the Attorney General. [Several hon Members: He has not spoken.] I beg pardon, I have only just come in, and I had an impression the Attorney General had expressed his opinion. The only part of the Bill with which I am particularly concerned is that which deals with the Burials Act. I have a Bill for the amendment of that Act, which deals with the subject in a more comprehensive manner than this Bill. It proposes, for instance, to abolish the distinction between consecrated and unconsecrated ground, so far as consecration operates as a legal instrument. At the same time, there are parts of this Bill which seem to me to be exceeding useful and necessary. The hon. Gentleman who has just spoken finds fault with the 3rd sub-section of the 15th clause, but something of the kind I hold to be absolutely necessary. At law the incumbent has the right of allowing or of prohibiting the interment of a non-parishioner in the churchyard. That right, however, was given to him, not in the interest of the Church of England, but in the interest of the parish, so that the parishioners should not be crowded out of their own churchyard by non-parishioners. The Burials Act, does not interfere with this right of theincumbent, but it has been found that in many cases the incumbent exercises this power of excluding non-parishioners as a means of imposing as a condition of interment that the non-parishioner, though a Nonconformist, should be buried with the Church of England service. I am sorry to say there have been many such instances in Welsh parishes, and I gather from the speech of the hon. Member who has just sat down that the hon. Member for Camborne cited a case as having occurred in Cornwall. Now, I think, it is only reasonable that there should be some way of preventing an incumbent taking an unfair advantage of a discretion vested in him for a wholly different purpose. As to the melancholy incident referred to in the course of this discussion, I made it the subject of a question to the right hon. Gentleman the Home Secretary, and he attempted to justify the action of the incumbent, although he did not justify the refusal to allow the body to be buried without a Church service in the part of the parish churchyard where her husband was buried, which is the real point in the case. That point will be met by the very reasonable provision contained in the Bill. Similarly it is only right that Nonconformists, on paying the burial fees, should have the right to have the bell of the parish church tolled and to have the use of the burial appliances. These are small matters, but they lead to petty insults and ill-feeling. The next section deals with a much more important question, namely, the question of fees for burials in the parish churchyard—and on this subject the Bill is on

all fours with a measure I hope to have the honour of asking the House to read a second time this day four weeks. The demand contained in this section seems to me to be obviously fair and just. It is surely right that the fees for performing the burial service should only be paid to the person who performs it. At present Nonconformists have to pay twice over —once to their own minister and also to the incumbent, even though the latter takes no part in the burial service. The incumbent, therefore, is paid for work he does not perform. I should have thought that the easiest way of deciding this matter would have been to lay down the principle that where there was no work there should be no pay. It seems to me that every one of the provisions of the 15th clause, including the alteration in the hours of burial, are reasonable, and follow the lines of the Bill I have introduced. I shall be curious to hear what possible objection can be taken to any one of these provisions. We have heard the objections of the hon. Member for the University of Oxford, who is a sort of official representative of the Church of England, but I should like to hear what objection the Attorney General can take to the Bill. I refrain from dealing with that part of the Bill bearing upon the question of marriages, but as to the other part, after the most careful attention that I have been able to bestow upon it, I must say that it seems to me to be reasonable and just; and if I have any fault to find with it, it is that it does not cover the whole ground which the question occupies.

(4.35.) THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I will follow the example of the right hon. Gentleman who has just sat down, and will confine my observations to Clause 15, going through its various sub-sections *seriatim*. The first two sub-sections are of minor importance, dealing merely with the notice required to be given of burials under the Burials Act. It is proposed to reduce the notice of burial to 12 hours. I think that that would be too short a notice and might lead to inconvenience, as there might not be adequate time for the incumbent to give due notice in return that the burial in some cases could not take place at the hour fixed. The hour named by the relatives of the deceased might clash with the period fixed for some other service, of which the relatives might know nothing, or might not be in conformity with the rules of the burial ground. Under the Act of 1880, the incumbent is empowered to say that the hour proposed will not do, or that another day or hour must be appointed, and I am bound to say that that seems to me to be a very reasonable provision. The change proposed would, to my mind, be productive of much more inconvenience than benefit. The next change proposed is one which does not appear to have been exhaustively thought out. It is that where any relative of a deceased person has been buried in a churchyard, and the person having charge of the burial desires that the deceased person shall be buried in such churchyard, or the deceased has expressed a wish to that effect, then such burial shall be permitted in the churchyard, though such deceased person has not been a resident of such parish. It is said that this is necessary because an incumbent in a certain Truro case that was mentioned refused to allow a Wesleyan to be buried in the churchyard, he not being a parishioner, unless upon the condition of the Church of England service being performed. The argument is that the incumbent did not object to the non-parishioner being buried in the parish churchyard, but that he made the fact, that the deceased was a non-parishioner, the ground for insisting that the burial service of the Church of England should be read over the deceased who had been a Wesleyan.

MR. CONYBEARE: I do not wish the facts to be misunderstood. The burial did take place in the churchyard, but Canon Burt refused to allow the Wesleyan minister to officiate and officiated himself.

MR. MATTHEWS: Well, it was obviously open to the relatives of the deceased not to have submitted to the conditions and to have had the burial somewhere else where the Wesleyan minister could attend. It comes to this, that the right of burial in the churchyard was conceded by the incumbent, but he refused to add to that privilege—which was one the law did not require to be given, and to which the family of the deceased had no statutory right—the further privilege of having the Wesleyan service performed. It is not for me to express any opinion as to the good taste or judgment exhibited by the incumbent on that occasion. I do not think I should myself have taken the course followed by him. But if there are cases of this kind—of which I know nothing—the proposed remedy would be far too wide. At present no Church of England non-parishioner has a right to burial in the churchyard. This provision proposes that every Nonconformist non-parishioner shall have such a right, and, therefore, the Bill is not one for bringing about religious equality but religious inequality. ["No."] Well, if it is proposed that every non-parishioner, whatever his religion, shall have the right, surely that is a remedy that is much too large, and one which may be called extravagant and ill judged. The fact that burials in a parish churchyard are confined to parishioners has nothing whatever to do with the question of religion, or religious animosity, or the burial service, but it is founded in public policy. It is necessary to confine these burial places to parishioners, because all the churchyards of the country are rapidly becoming full. The proper remedy, if any were required, would be to take away from the incumbent the right of granting burial in the churchyard to any non-parishioner, for it surely is not desirable to throw the parish churchyard open to all non-parishioners, it may be to the exclusion of the parishioners. The Common Law right of parishioners to have the parish churchyard preserved to them should be maintained. The remedy proposed in the Bill is very much larger than the grievance alleged. The next proposal is one for which one is at loss to find a reason. It is that, instead of hours for burial being fixed as at present from 10 to 6 in summer and from 10 to 3 in winter, the hours should be from 10 to sunset. But the fixed hours are, I think, preferable, as better calculated to secure that the interments shall take place by daylight I think that it is hardly worth while to alter the Act of 1880 for the matter of so trifling a detail, and I confess that I think it undesirable to make sunset the limit. The next sub-section, dealing with the question of fees, is one which excites every kind of passion in the world sublunary, and in the spiritual life. I approach the subject with absolute impartiality. Do let us see what is the equity of the case. The freehold of the churchyard is in the incumbent. It is quite true that in the right and true view of the organisation and discipline of the Church of England he is the freeholder in trust for the parishioners, and the Act of 1880, I think very wisely, has recognised that the incumbent holds it in trust for the Dissenting parishioners as well as for those who conform to the Church of England. But that being admitted, it is inconsistent that on the matter of fees hon. Members should turn round on the incumbent and want to deprive him of that which he receives perhaps as much for breaking the soil in the churchyard as for performing the service. This is not the time to go into the question of the Canon Law on this subject; but I think that if the hon. Member for Camborne will devote some of his unrivalled industry to inquiring into the origin of these immemorial burial fees, he will find that what I say is the case. It certainly would seem to me inconsistent to recognise the incumbent's right to the freehold of the soil—in trust, if you like, for the parishioners—and to refuse him his fees for the breaking of the soil. The right hon. Gentleman the Member for Denbighshire says, "No work, no pay."

*MR. G. OSBORNE MORGAN: I would point out that this sub-section is founded on the recommendation of the Select Committee which sat for several months to consider the whole question of burial fees.

MR. MATTHEWS: I have great respect for the opinion of Select Committees, but I was offering to the House my own independent view. The right hon. Gentleman said if there is no work there should be no pay. But the incumbent is willing to do the work; it is the Nonconformist parishioner who declines to let him. With regard to Sub-section 6, which permits the parishioner to have the bell tolled, and to have the use of the parish appliances and officials, I confess that I absolutely approve of it. It seems to me to be the spirit and intention of the Act of 1880 that the Nonconformist parishioner should have the same rights with regard to burial in the churchyard as the conforming parishioner. While, however, I quite agree with this sub-section, I do not consider that it alone is enough to save the Bill, and for my own part, I shall vote for the Amendment.

(4.53.) MR. S. T. EVANS (Glamorgan, Mid): The House has listened with great satisfaction to the speech the right hon. Gentleman has delivered—a speech which I must say, was in strong contrast with that of the right hon. Gentleman who preceded him on that side of the House, who shows himself more of a champion of the Church of England than gentlemen on the front Ministerial Bench. My name is on the back of the Bill, nevertheless I must disclaim responsibility for its title and for the drafting of some of its clauses. I object to the title, because even if the Bill passed in its entirety, it would not satisfy our desires as to religious equality. Speaking for myself as a Representative of the Principality, I must say that I think the passing of the second part of the Bill would be regarded by my countrymen as more important than the passing of the first part. I maintain that, while there are grievances on the part of the Nonconformists with regard to marriages, it is absolutely necessary, in the interests of fair play and even decency, that the Act of 1880 with regard to burials should be altered. I was glad to hear my right hon. Friend who was the author of the Act of 1880 (Mr. Osborne Morgan) declare that that Act was not a settlement at all. I was not a Member of the House when the Act was passed, but I remember the time very well, and I can say that we simply regarded the measure as the smallest possible concession that those who championed the Church of England were willing to give to the Nonconformists. The spirit in which the Act has been administered from 1880 down to the present time proves that it is not a settlement of the matter at all. With regard to the details of the present Bill, I do not think that any of the inconveniences will arise which have been mentioned by the right hon. Gentleman in connection with the proposal to shorten the time of notice. In my own opinion, it is hard that within 24 hours of the death of a near relation the relatives in their sorrow should have at once to set about getting up a statutory notice in strict accordance with the Schedule of the Act of 1880. I think the time asked for should be given. I think the right hon. Gentleman was under a misapprehension as to the intention of Sub-section 3. I agree that the sub-section has not been properly drafted; but what is intended is to make it impossible for an incumbent, relying on the legal right he has of refusing burial at all to a non-parishioner, to insist, in cases where he may be willing that a Nonconformist parishioner should be buried in the churchyard, upon the burial service of the Church of England being read. I think that is the intention of my hon. Friend in the Bill, and I therefore think the sub-section will commend itself to the judgment of the House. There may have been reasons in the past, and there may be reasons now, why the trustee of the churchyard should be able to say, "You must not bury a non-parishioner there." Somebody must have the power of limitation. But that is not the case which we put; the case is where the incumbent insists upon the rites of the Church of England. Such cases constantly occur in the Principality. The right hon. Gentleman has admitted that the Act of 1880 has not been worked in a spirit of conciliation, and that is why those who smart under the administration of it are anxious to amend its provisions. If the Act of 1880 had been carried out in the spirit in which it was framed, it would not be necessary to come to the House at all with the 15th clause of this Bill. But that has not been the case, and it is absolutely necessary that we should endeavour to amend the provisions of the Act of 1880. The next sub-section is that which deals with the extensions of the hours during which a burial can take place in the parish churchyard. I see no reason why the hours should not be extended to sunset. It is said that a burial might be fixed at an hour almost immediately before sunset, which would necessitate the great inconvenience of carrying out the ceremony in the dark. Surely it can hardly be supposed that anybody who has the arrangements of a funeral to make would be actuated by such motives as have been suggested, and in order to gratify his feelings in this respect would adopt such a course as this. I have intimate acquaintance with the manner in which funerals are conducted in the Principality, where it is the common practice to have very large funerals. In many cases nearly the whole of the inhabitants of a village will attend the funeral obsequies, and the result is that, especially in the mining localities, it is very difficult to fix the funeral ceremonial before 3 o'clock, because the people do not leave their work before that hour. Surely it is a pity that those who are at work till 4, or half-past, should thereby be prevented from attending a Nonconformist funeral. We have been told that the spirit of the Act of 1888 was that Nonconformists should have the same privileges with regard to burial as belonged to members of the English Church, but in the Church of England funerals are not limited to 3 o'clock in the afternoon. As far as I know, there is no limit to the hour at which Church of England funerals may take place, and I ask, therefore, why should this invidious distinction exist between them and their Nonconformist brethren? With regard to the sub-section dealing with fees, the hon. Member for the University of Oxford has said that every sub-section he came to appeared to be worse than the previous one, and he seemed to think that this particular sub-section formed the climax of the injustice contained in the measure of my hon. Friend. He said the burial fees were not paid for conducting the service, but for breaking the soil by the incumbent. That may be so, and it may be argued that until we have a large scheme of Disendowment it would not be fair to deprive the incumbent of his fees. But in cases where the grave has been paid for, and constitutes a freehold, why should the incumbent exact burial fees for every new burial? Then comes the case put by the right hon. Gentleman the Member for Denbighshire (Mr. G. O. Morgan) as to the payment of fees for work which is not performed. On this the Home Secretary says the clergyman is willing to bury anyone if the fees are paid. But surely it is too late in the day to argue that, because he is willing to perform a service which is not desired, and consequently not rendered, he should therefore have the right of exacting fees. The right hon. Gentleman the Member for Denbighshire has said that Nonconformists who have the misfortune to bury their relatives in the churchyards have to pay double fees, namely, to their own minister and also to the incumbent of the parish. This, however, is not my experience, which has always been that the Nonconformist ministers do not receive fees for their services at the burial of their dead. They are only too glad to perform the ceremony for the friends and relatives without any remuneration; and if this be so, why, I ask, should the Church clergyman insist on payment where no service is rendered at all? In conclusion, I cannot but express a hope that hon. Members on the opposite side of the House will permit the passage of this Bill without raking up the embers of a very bitter controversy. Why it was bitter I do not know, and it is for them to say. We are only trying to obtain a measure of justice which Parliament eventually granted. When we now desire to extend the measure of justice it is not we who desire to fan the embers of bitter intolerance; and if those embers are to be fanned into a flame, it is upon hon. Members on the other side of the House and not upon us that the responsibility must rest.

*(5.6.) Mr. STANLEY LEIGHTON (Shropshire, Oswestry): The hon. Member who has just sat down has told us he will undertake no responsibility either for the title or for the drafting of this Bill. Then I ask, why did he allow his name to be endorsed on the back of the Bill? Religious equality! What on earth does it mean? I often think we should be better off if we had Preambles to our Bills, as we used to have. We should then understand the motive ideas of hon. Members who introduce measures to this House. The Preamble to this Bill would, I suppose, be somewhat in this form:—"Whereas all religions ought to be made equal by Act of Parliament, and whereas there is no difference or distinction between the religion of a fire worshipper or a devil worshipper, or a seventh-day Baptist, &c; be it enacted, &c." But this Bill, though professedly a Bill to establish religious equality, deals only, in fact, with two religious services, namely, the burial service and the ceremony of marriage. Let us look for a moment at the way in which the Bill proposes to deal with the Marriage Act,

and the kind of machinery it provides. According to this Bill, all a man has to do is to obtain a marriage licence from the Registrar for half-a-crown; that licence is to run for three months, at the end of which time it is to be renewable. There is no limit to the number of licences a man may take out. He may take out half a dozen or more in the names of different women, and keep them in suspense until he has made his selection. During this period of suspense the parties will be, as it were, half married, resting at a half-way house, which is not unlikely to end in something less than marriage in many cases. I have heard of fictitious marriages, and I cannot help thinking that the way in which this Bill proposes to carry out the preliminaries of the sacred condition of marriage might lead to immorality. But let us proceed. Having got the licence the parties go to a registered building. Hon. Members, perhaps, know how a building becomes registered. Thirty people only have to declare that they wish to have a building registered for the solemnisation of marriage, and it is registered. We must remember that there are very few Nonconformist Bodies who have any Central Authority. Most Nonconformist churches are complete in themselves, and do not submit to government by any Central Body. Those 30 persons who have got a place registered for the solemnisation of marriage have the entire control of that building, and of the forms and ceremonies used within it. Nay, more; they often have complete religious equality among themselves, and each one of the 30 men or women may be lawful ministers and the individuals duly commissioned by this Act to perform the marriage ceremony. Let me, however, take the case a little further. Let us accompany the bridal party to the registered building. No notice need be given to the minister. But if he happens by chance to be hard by he may ask certain questions, but there is no obligation to answer them. He may know that the lady is under the age of consent, and that the man is already married. He may ask questions, but he has no power to get them answered. He may refuse to perform the service; but any one of the 30 members of the congregation is just as much a lawful minister as he is. He cannot refuse the use of the registered building. The parties may bring their own minister with them, and he may perform the ceremony "according to such form and ceremony as he shall think fit." A person whom the ordinary minister of the Church refused to marry might flourish this Bill in his face, and have the ceremony conducted according to his own fancy. But even that is not all. Supposing the lawful minister acts in direct contradistinction to everything in this Bill, he is only liable to a fine of £5. So that a rich person might contravene the law, and procure a marriage without any of the conditions and restrictions of this Bill, such as they are, by paying a fine of £5. Is it possible that the House of Commons can read a second time a Bill of this sort? As to the provisions relating to burial, my hon. Friend the Member for Oxford University pointed out that if any of the relatives of a deceased person had been buried in Westminster Abbey or St. Paul's, and that if the deceased had expressed a wish to be buried there, too, his friends could demand his burial in the Minster or Cathedral. With regard to fees, I notice that they are payable "unless the persons otherwise determine." I cannot conceive of their being paid generally, if people had the means of relieving themselves by merely expressing their wish to be relieved. I cannot help thinking that the hon. Members who brought in this Bill must have had the recent decision of the Lord Chancellor in their minds, and that as separations are made quite easy by that decision, they are determined to make marriages as easy. The whole proposal is so unstatesmanlike that I hope the House of Commons will reject it.

*(5.23.) Mr. J. A. BRIGHT (Birmingham, Central): I wish to say a word or two against this Bill before it goes to a Division, and I do not wish to be mis understood in so doing. I have no feeling against religious equality. I am a Nonconformist by descent and from conviction, and I should be glad to see every inequality removed between Dissenters and members of the Church of England. I object to this Bill, because it makes it very probable that the records of marriages will not

be safely kept. When it was illegal for marriages to take place except in churches, an arrangement was made on behalf the Society of Friends, by which their Registrar was allowed to be present. The real solution of the question was not that the Registrar should not need to be present at Nonconformist marriages, but that he should be present at all marriages for the purpose of recording them. I believe it is notorious that records of marriages in churches which ought to have been preserved have been lost. By this Bill, instead of the Registrar attending with his book, the minister officiating has to make out four different certificates and send one to the Registrar. Now the minister officiating may be any lawful minister, and we have heard of marriages solemnised by sham ministers. Besides, the certificate might be lost in transit through the post, not to speak of other complications in registration which this Bill would cause. I see that the penalty for failure to register a marriage is £5—a very small penalty for such a gross neglect of duty. It might be worth somebody's while to pay £5 in order to have the traces of a false or real marriage removed. I think that we shall be going in an altogether wrong direction if we pass a Bill like this, which will make the record of Nonconformist marriages in places of worship less permanent and certain than they have hitherto been. I shall therefore, vote against the Second Reading, because I object to anything which will afford a loophole for a loose record of marriages.

(5.28.) MR. KELLY (Camberwell, N.): I observe that the hon. Member whose name is on the back of the Bill repudiates responsibility for its drafting or its name. The Bill of the hon. Member for Camborne is really divisible into two Bills—one dealing with the attendance of the Registrar at Nonconformist marriages and the other with the Burial Laws. With reference to Sub-section 3 of Clause 15, there are certain reasons against it which I have not heard urged. It would throw a burden upon poor parishes. I am acquainted with a small parish about 15 or 16 miles out of London, where they have had the greatest difficulty in preserving the churchyard for the parishioners in consequence of the applications to bury non-parishioners who, however distant from it, may have taken a fancy to be interred there. I can understand some provision being made for those who have resided many years in a parish, and are away at the time of death; but it seems to me a most unfair claim that strangers or non-parishioners should urge the right to be buried in some churchyard to which they have no claim other than the mere expression of a fancy in life that at death they would like to be buried there.

It being half an hour after Five of the clock, the Debate stood adjourned.

Debate to be resumed upon Monday next.

ELECTORAL DISABILITIES REMOVAL BILL.—(No. 182.)

As amended, considered.

Motion made, and Question proposed, "That the Bill be now read the third time."

(5.34.) MR. CONYBEARE (Cornwall, Camborne): I do not intend to oppose this Motion. I only wish to explain that, in consequence of representations made to me by the hon. and learned Attorney General, I have not pressed the Amendments of which I had given notice, on the understanding that the objects aimed at are already secured in the Bill.

(5.35.) MR. CAUSTON (Southwark, W.): Although I have opposed the Bill in its several stages, I shall not vote against the Third Reading, for I have no desire to hinder the removal of electoral disabilities. What I do charge the Government with is that in introducing this Bill with a high-sounding title they have brought forward a measure without any real backbone to it. They have only removed the disabilities of soldiers, sailors, and policemen, and they have declined to remove those to which the working classes of the country are subjected; indeed, the Bill was so carefully drawn as to preclude all opportunity of securing an amendment in that direction. The Chancellor of the Exchequer said he would have no tinkering with the Registration Laws. Well, I assert that this is a tinkering, feeble Bill.

(5.37.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I only wish to say, in reply to the hon. Member for Camborne, that the view he has expressed—that the object of his Amendment is secured in the Bill—is correct.

(5.38.) MR. T. ROBINSON (Gloucester): I wish to express my regret that the Attorney General would not afford me an opportunity of proposing an Amendment dealing with disqualifications arising out of recent decisions of certain Revising Barristers. It is a pity the Bill was so drawn as to prevent that point being raised.

SIR R. WEBSTER: The Bill was drawn long before those decisions were given.

MR. T. ROBINSON: No doubt; but surely it would have been possible to deal with this matter.

Question put, and agreed to.

Bill read the third time, and passed.

ARMY SCHOOLS BILL.—(No. 211.)

As amended, considered.

Bill read the third time, and passed.

RATING OF MACHINERY (No. 2) BILL. (No. 18).

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Wednesday, 3rd June.

MOTIONS.

ACQUISITION OF LAND (LOCAL AUTHORITIES) BILL.

On Motion of Mr. Robert Reid, Bill to enable Local Authorities to acquire Land, ordered to be brought in by Mr. Robert Reid, Earl Compton, and Mr. Winterbotham.

Bill presented, and read first time. [Bill 268.]

LONDON (CITY) TRIAL OF CIVIL CAUSES BILL.

On Motion of Mr. Attorney General, Bill to provide for the Trial of Civil Causes in the City of London, ordered to be brought in by Mr. Attorney General, Mr. Secretary Matthews, and Mr. Solicitor General.

Bill presented, and read first time. [Bill 269.]

PARKS REGULATION (IRELAND) BILL.

On Motion of Mr. Attorney General, Bill to extend "The Parks Regulation Act, 1872," to Ireland, ordered to be brought in by Mr. Attorney General for Ireland and Mr. Arthur Balfour.

Bill presented, and read first time. [Bill 270.]

LOANS FOR SCHOOLS AND TRAINING COLLEGES (IRELAND) ACT (1884) AMENDMENT BILL.

On Motion of Mr. Attorney General, Bill to amend "The Loans for Schools and Training Colleges (Ireland) Act, 1884," ordered to be brought in by Mr. Attorney General for Ireland and Mr. Arthur Balfour.

Bill presented, and read first time. [Bill 271.]

PUBLIC PETITIONS COMMITTEE.

Ninth Report brought up, and read; to lie upon the Table, and to be printed.

REGISTRATION OF CERTAIN WRITS (SCOTLAND) BILL [LORDS].

Read the first time; to be read a second time upon Friday, at Two of the clock, and to be printed. [Bill 272.]

QUESTION.

UPPER BURMA.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the Under Secretary of State for India whether he can give the House any information as to the reported death, in the action on the Chin Hills, Upper Burma, of Lieutenant L. A. Forbes, of the 3rd Goorkhas?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The following telegram has been received from the Viceroy:—

> "Reported from Chin country that detachment 39th Bengal Infantry, under Lieutenant Mocatta, detailed from Haka, was attacked April 4, while returning towards Haka, by a large gathering of Chins of the Klanglang tribe. The detachment continued march, fighting till met by force from Haka of the same regiment under Mainwaring. Lieutenant Forbes wounded severely in arm, five men killed, 12 wounded. This disturbance is believed to be local and unconnected with events on Manipur side. Steps will be taken to punish offending tribes."

This 39th (Gurhuali) Regiment is the old 2nd Battalion 3rd Goorkhas. The old 39th was reduced very lately, and its place in the Army List taken by the 2nd Battalion 3rd Goorkhas. A new 2nd Battalion 3rd Goorkhas is being raised in India. Lieutenant Forbes's initials are L.A.

House adjourned at a quarter before Six o'clock.

by Contract with H.M.'s Government. An Asterisk at the commencement of a Speech indicates revision by the Member.

HOUSE OF COMMONS,

Thursday, 9th April, 1891.

QUESTIONS.

MILITARY EXPEDITIONS IN NORTH WEST INDIA.

SIR G. CAMPBELL (Kirkcaldy, &c.): I beg to ask the Under Secretary of State for India, or the Minister who is at present representing the India Office, whether the large military expeditions to the Maranzai country, the Black Mountains, and other places on the North-West Frontier of India, in which Her Majesty's troops are now engaged and in which they have already suffered appreciable losses, are in pursuance of a policy of advance sanctioned by Her Majesty's Government in this country, or are undertaken by the Commander-in-Chief in India, with the permission of the Government of India, on his own responsibility?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): In the absence of my right hon. Friend the Under Secretary for India, I have to say that the expeditions referred to in the question are not in pursuance of a policy of advance, nor has any such policy been sanctioned by Her Majesty's Government. They are punitive and pacificatory expeditions undertaken not by the Commander-in-Chief in India on his own responsibility, but by the Government of India, subject to the sanction of the Secretary of State.

SIR G. CAMPBELL: But is it not a matter of fact that in the last two or three years there has been a great advance?

*SIR J. FERGUSSON: I cannot at this moment go into the general policy of the expeditions which have taken place on the North-West Frontier of India. I have answered the specific question put by the hon. Member.

CONSUMPTION OF OPIUM IN INDIA AND BURMA.

MR. S. SMITH (Flintshire): I beg to ask the Under Secretary of State for India whether he can state what was the total consumption of opium in India in 1880, and also in Burma in the same year; and what are the figures for the latest year for which statistics have been obtained for India and for Burma?

*SIR J. FERGUSSON: The consumption of opium in Madras and Bombay for 1880 cannot be given. In 1889-90 it was 1,594 chests. Excluding Madras and Bombay, but including Lower Burma, the total consumption in British India was for 1880-81 5,606 chests, and for 1889-90 4,800. In Lower Burma the consumption was for 1880-81 812 chests, and for 1889-90 784 chests. The consumption in Upper Burma is not known.

MR. MAC NEILL (Donegal, S.): When did the consumption of opium in Upper Burma begin? How was it not forbidden by the late Government, and encouraged by the present?

*SIR J. FERGUSSON: I must ask for notice of that question. I believe that the consumption of opium in Upper Burma dates from a period long antecedent to our annexation.

MR. MAC NEILL: Cannot the right hon. Gentleman say of his own knowledge that Lord Dufferin and Lord Dufferin's Council protested solemnly against it; and that, despite that protest, Lord Cross allowed licences to be issued?

*SIR J. FERGUSSON: That question does not in the least arise out of the question on the Paper.

MR. MAC NEILL (ironically): Hear, hear.

THE DISASTER AT MANIPUR.

SIR R. TEMPLE (Worcester, Evesham): I desire to put a question to the Under Secretary of State for India or the Minister representing the India Office in the absence of the Under Secretary—a question of which I have given private notice, namely, whether it is true that news has been received from Manipur that Mr. Quinton, the Commissioner at Assam, and the British officers with him, have been killed?

*SIR J. FERGUSSON: A long telegram was received to-day and was sent to the evening papers for publication. A later one from the General Officer commanding in Burma is as follows:—

"General Officer commanding in Burma telegraphs to-day that a messenger has arrival, at Tammu reporting Grant all well at Thobed Burma. Government also report that British troops have occupied Ladantonthana from Cachar side. This is only 18 miles from Manipur. Regular troops said to be deserting Regent. Death of Quinton and those with him confirmed by letter from Head Clerk, Manipur. Agency detained by Durbar in Manipur."

LINLITHGOW PALACE.

Mr. SINCLAIR (Falkirk, &c.): I beg to ask the First Commissioner of Works whether any proposals have been placed before him with a view of converting the Palace of Linlithgow into a museum for Scottish antiquities; and, if so, will due care be taken to preserve the distinctive character of one of the most interesting historic buildings now existing in Scotland?

The FIRST COMMISSIONER of WORKS (Mr. Plunket, Dublin University): I have this morning received a Memorial from the Provost, Magistrates, and Council of the Burgh of Linlithgow, suggesting that the old dismantled palace at that place should be roofed in, and that it should be made available as a Public Library and Reading Room, and that this House should vote the money necessary for those purposes. I shall confer with the Secretary for Scotland on the subject. But at the first blush it strikes one that it is one thing to take steps—if any should appear to be necessary—in order to preserve from complete destruction the interesting ruins of an old Royal Palace, but it is quite another thing to provide a Public Library and Reading Room in the town at the expense of the Exchequer.

THE NEW SILVER COINS.

Mr. CAUSTON (Southwark, W.): I beg to ask the Chancellor of the Exchequer when the new silver coins with their values denoted on them will be issued?

The CHANCELLOR of the EXCHEQUER (Mr. Goschen, St. George's, Hanover Square): A Committee is now at work considering the whole subject of the designs of coins, consisting of the right hon. Member for London University, Sir Frederick Leighton (President of the Royal Academy), the Deputy Master of the Mint, the Deputy Governor of the Bank of England, Mr. John Evans (President of the Numismatical Society), and Mr. R. B. Wade (representing the Joint Stock Bankers.)

PORT DARWIN.

Mr. WATT (Glasgow, Camlachie): I beg to ask the Under Secretary of State for the Colonies whether any negotiations have taken place between Her Majesty's Government and the Government of South Australia with reference to Port Darwin being made a fortified station; and, if not, whether he can state if there is any prospect of this step being taken, as recommended by so many eminent authorities?

The UNDER SECRETARY of STATE for the COLONIES (Baron H. de Worms, Liverpool, East Toxteth): The question of the defence of Port Darwin has received full consideration, and it is not the opinion of the South Australian and Imperial Authorities that any fortifications should at the present time be constructed there.

FEES FOR PATENTS.

Mr. MORTON (Peterborough): I beg to ask the President of the Board of Trade whether it is correct that a patentee in this country has to pay a sum of £154 for 14 years' protection, whereas in the United States of America the cost is only £7 for 17 years' protection; and, if correct, will the Government, having regard to the keen competition between this country and the United States, take steps to put British inventors in a more favourable position?

Mr. WATT: I beg also to ask the right hon. Gentleman whether, having regard to the great disadvantage at which inventors are placed by the heavy fees payable on patents in Great Britain, as compared with America, Germany, France, and all other countries, the Government will re-consider the desirability of the foregoing fees payable on patents for the fifth and sixth years?

*The PRESIDENT of the BOARD of TRADE (Sir M. Hicks Beach, Bristol, W.): The sums stated are accurate as regards the whole period of protection, but the position is not quite fairly represented, because protection is given for periods less than 14 years for sums less than the amount set out. Protection for four years, for instance, is given in an ordinary case for £4, whereas the payments required to be made within the same period in the United States amount to £6 or £7. The whole scale of fees was carefully considered in 1883 when the Act was passed, and it was held that there are reasons, from the point of view both of the public and of inventors, against encouraging a lengthened protection of patents which are not likely to be worked. It did not appear desirable that a patentee who cannot make his patent available for public use should occupy the ground for a long time, to the exclusion of others.

SCOTCH MAILS.

Mr. LENG (Dundee): I beg to ask the Postmaster General at what date it is probable that full advantage will be taken of the opening of the Forth and Tay Bridges to shorten the time occupied in forwarding and delivering letters between the large mercantile and manufacturing towns and districts in the North-East of England and the North-East of Scotland?

*The POSTMASTER GENERAL (Mr. Raikes, Cambridge University): I am happy to say that use is already made of both the bridges referred to, with the result of some substantial acceleration in the service, but I am not aware in what respect further use can be more advantageously made of them for the conveyance of mails. If the hon. Member will favour me with any specific proposal on the subject I will with pleasure give it early and careful consideration.

BANK HOLIDAYS IN SCOTLAND.

Mr. LENG: I beg to ask the Postmaster General whether he is aware that Post Office and Telegraph servants in Scotland have not yet enjoyed the Bank Holidays extended to them as in England; and whether it can be arranged to give them the Bank Holiday on Whit Monday and the subsequent Bank Holidays this year?

*Mr. RAIKES: The holiday already past this year, namely, Easter Monday, is not a Bank Holiday in Scotland, neither is Whit Monday; but the Post Office servants in Scotland have a holiday on New Year's Day, which is not the case in England, and it is arranged that they shall be given holidays on Fast days, or other days generally observed as holidays in Scotland, in lieu of Whit Monday and the remaining Bank Holidays which are observed in England.

GAMING IN PUBLIC HOUSES.

Mr. BYRON REED (Bradford, E.): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the case of two publicans, called John William Rock and James Stone, who were convicted and fined at the Chesham (Bucks) Petty Sessions, on Wednesday, 4th March, for permitting gaming; whether he is aware that the principal evidence against them was given by a police constable called Gascoyne, who visited the house in disguise, and made no attempt to caution the landlords or to prevent the law being broken; whether the defendants had been previously convicted; whether he is aware that Superintendent Sargeant, one of the witnesses, said that the Chief Constable of the County, Captain Drake, had instructed the police to act as they did; and whether such action is sanctioned by the Home Department; and, if not, whether the Department will take any steps to prevent a recurrence of it?

The SECRETARY of STATE for the HOME DEPARTMENT (Mr. Matthews, Birmingham, E.): I have received a Report from the Chief Constable, who informs me that, in consequence of rumours that gaming was being carried on in several of the public houses in Buckinghamshire, he directed a constable in plain clothes to be detailed for the purpose of keeping a watch on certain premises, in consequence of which three publicans were summoned and convicted. The two named in the question—namely, John William Rock and James Stone — had not been previously convicted. The principal witness was the constable who had been detailed as stated. He was not in disguise, but in plain clothes. I believe it is by no means unusual that officers detailed for such duty should be in plain clothes. In the Metropolis a preliminary warning would, as a rule, be given, but not necessarily, where it was known that the law was being wilfully broken. In Bucks this appears not to be the practice. These are matters for the discretion of the Chief Constable, and it is not for me to interfere.

IMMIGRATION OF FOREIGNERS.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the President of the Board of Trade if the attention of Her Majesty's Government has been directed to the recent tables relating to the immigration of foreigners into the United Kingdom, and particularly to the fact that, although nearly 1,000,000 persons were maitained under the Poor Law in Great Britain and Ireland in 1890, 29,885 aliens arrived from the Continent at 21 British ports between May and December, and at two others in the whole year, not intending to proceed to America, while the foreign immigration into London was 4,400 higher in 1890 than in 1889, and into Hull 1,320 higher; and if, having regard to the admitted increase of the immigration of Polish Jews, many of whom were in a state of destitution, and to the confirmatory reports of the Chief Officers of Police in the Metropolis, Manchester, and Leeds, he will consider the desirability, as contemplated by the Select Committee of 1889, of legislating against the importation of pauper and destitute aliens?

*SIR M. HICKS BEACH: The tables referred to by my hon. Friend show that 29,885 aliens, not stated to be *en route* to America, arrived from the Continent at 21 British ports between May and December last, and at two others in the whole year, but the tables do not show that these immigrants intended to remain here; in fact, as stated in the Report prefixed to the tables, it is probable that a large number of the 29,885 immigrants left the United Kingdom in the course of the year. The Committee of 1889 reported that they saw great difficulties in the way of enforcing laws similar to those of the United States and certain other countries against the importation of pauper and destitute aliens, and were not prepared to recommend such legislation at present. There has been no important change in the circumstances since the Committee reported, but the current of immigration will continue to be carefully observed.

*MR. HOWARD VINCENT: May I ask whether the immigration into London in 1890 was not greater than it was in 1889, and whether the Chief Commissioner of Police does not consider it as a serious matter?

*SIR M. HICKS BEACH: There has been an increase, but it has by no means been large.

*MR. HOWARD VINCENT: I beg to give notice that I shall take a further opportunity of calling attention to this question.

METROPOLITAN POLICE PENSIONERS.

MR. HOWARD VINCENT: I beg to ask the Secretary of State for the Home Department whether he will consider the possibility of dispensing with the second certificate Metropolitan Police pensioners residing beyond the district are required to transmit as to their identity, and of accepting the single certificate of either a Magistrate, the minister of the parish, or a Superintendent or Inspector of Police, having regard to the infirm condition of many pensioners, and the difficulty not a few have in finding a signatory who knows them personally other than a Superintendent or Inspector of Police; and if the pensions of out-residents could be paid through the Post Office, as in the case of Army pensions, instead of through a bank, which may be far from their houses?

MR. MATTHEWS: I have already sanctioned regulations which I shall be happy to show to my hon. Friend, which will, I hope, be effective in introducing the alterations which are suggested in the question, and removing the inconveniences of the old system.

SMITHERY AT SHEERNESS.

MR. H. T. KNATCHBULL-HUGESSEN (Kent, Faversham): I beg to ask the First Lord of the Admiralty whether there has been a deficit or a surplus in the wages earned in the smithery at Sheerness on the prices fixed by the Service during the time the check system has been in operation; and whether he will grant a Return of the wages earned week by week in the smithery at Sheerness during that period?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): From the 1st April, 1890 (12 months) three men have been checked a total sum of 19s. 3d., two men at one fire 16s. 9d., and the man at another fire

2s. 6d. Both these fire parties had been short of their wages three weeks running. The two men alluded to were deficient in the three weeks 39s. 1d. the other fire with the one man in the three weeks 20s. 9d. The first two men were on check measurement during the year 23 weeks, and they were short on the whole time 25s. The remainder of the year they were on task and job, when they earned their money easily, using the same scheme of prices, observing that during the year the entire shop have been short of their day pay on three separate weeks. No men have received more than their day pay whilst employed on check measurement.

Mr. H. T. KNATCHBULL-HUGESSEN: The noble Lord has not answered the first part of the question—whether there has been a deficit or a surplus?

*Lord G. HAMILTON: I do not quite understand the question. There is no specific sum allotted to any trade, but on wages there is a certain scheduled list of prices upon which men work.

Mr. H. T. KNATCHBULL-HUGESSEN: I will call attention to the subject on the Votes.

HER MAJESTY'S COMMISSIONERS IN AFRICA.

Sir G. CAMPBELL: I beg to ask the Under Secretary of State for Foreign Affairs whether the Commissioners just appointed for West Africa, East Africa, and Northern Zambesia are to be Royal Commissioners, independent of the Niger, East Africa, and African Lakes Companies, and exercising some jurisdiction and supervision on behalf of Her Majesty, as distinguished from the jurisdiction vested in the companies?

*Sir J. FERGUSSON: They are Commissioners appointed by the Crown; they are independent officers who will receive instructions from, and report to the Secretary of State. The Commissioners on the West Coast will have a district distinct from that administered by the Niger Company. As regards those on the East Coast, their position is fairly described in the question. Care will be taken that their jurisdiction will not conflict with that of the Chartered Companies. As regards the districts north of the Zambesi, administrative and judicial jurisdiction is for the present vested in the Commissioner.

SEIZURE OF THE "COUNTESS OF CARNARVON."

Dr. CAMERON (Glasgow, College): I beg to ask the Under Secretary of State for Foreign Affairs whether the Foreign Office has yet received particulars of the capture of the steamship *Countess of Carnarvon* by the Portuguese on the Limpopo River; and whether he is in a position to give any information on the subject to the House?

*Sir J. FERGUSSON: The particulars have not yet been received in an authentic form. The reports as to the facts are so conflicting that no reliable information can be given.

Dr. CAMERON: Is the right hon. Gentleman aware that many weeks ago a statement on the subject was issued by the Portuguese Government—how is it that we are so far behind?

*Sir J. FERGUSSON: I can only say that information has been telegraphed for, but the region where the event took place is not within reach of the telegraph.

Dr. CAMERON: Is it not the fact that the Cape papers have published full details?

*Sir J. FERGUSSON: I am not aware.

Dr. CAMERON: Then I will repeat the question on another day.

EXPLOSIONS IN GLASGOW IRON WORKS.

Dr. CAMERON: I beg to ask the Secretary of State for the Home Department whether any decision has yet been come to as to the institution of a special public inquiry into all or any of those fatal explosions in iron works in the Glasgow district to which his attention was called by questions before Easter?

Mr. MATTHEWS: The matter referred to in the question of the hon. Member [illegible] being carefully inquired into by the authorities of the Scotch Office, but these inquiries are not yet quite completed. If the hon. Member will repeat his question to the Lord Advocate on Monday next, he will, I hope, obtain a definite reply.

THE WESTMORELAND COUNTY COUNCIL.

MR. W. LOWTHER (Westmoreland, Appleby): I beg to ask the President of the Local Government Board whether the accounts of the Westmoreland County Council, made up to 31st March, 1890, have been received by the Local Government Board and have been audited; and, if not, when the accounts are likely to be sent in?

*THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG, Wilts, Devizes): The Local Government Board have received the Financial Statement as to the accounts of the Westmoreland County Council up to the 31st March, 1890, and the audit of the accounts has been completed.

CERTIFYING SURGEON OF FACTORIES.

MR. JACOB BRIGHT (Manchester, S.W.): I beg to ask the Secretary of State for the Home Department, seeing that he has stated that his opinion in regard to the Certifying Surgeon is based upon the best information, whether he will inform the House if he has consulted the Chief Inspector of Factories upon the subject, and also the Superintending Inspector, and the other Inspectors in the districts chiefly interested, namely, the cotton and woollen districts, as to the advisability of abolishing the Certifying Surgeon's certificate of fitness; and, if not, why not?

MR. MATTHEWS: I have, in the ordinary course, consulted the Chief Inspector of Factories on this subject, and learnt through him the views of his Department. It is hardly reasonable to suppose that in dealing with this question I should fail to take advantage of all the sources of information at my disposal.

WAGES AND EMPLOYMENT IN THE UNITED STATES OF AMERICA.

MR. P. STANHOPE (Wednesbury): I beg to ask the Under Secretary of State for Foreign Affairs whether he will obtain from the Secretary of Her Britannic Majesty's Legation in Washington a Report showing the effect upon the wages and employment of the working classes in the United States of America of the M'Kinley Tariff Act?

*SIR J. FERGUSSON: Inquiry shall be made through Her Majesty's Minister at Washington whether such a Report can be procured. If so, he will be requested to furnish one.

POLICE SUPERANNUATION.

MR. P. STANHOPE: I had intended to ask the Secretary of State for the Home Department whether a police constable appointed under Section 19 of the Act 3 & 4 Victoria, chapter 88, is entitled to superannuation under the English Superannuation Act of 1890, in the same manner as other county constables? But at the request of the right hon. Gentleman I beg to postpone the question until Tuesday.

THE CENSUS IN WALES.

MR. DAVID THOMAS (Merthyr Tydvil): I beg to ask the President of the Local Government Board if his attention has been called to the numerous complaints from the Principality, that at the recent Census, Welsh Schedules were refused to Welsh speaking persons, that in many cases the English forms supplied contained no language columns, and that in some instances whole rows of cottages were left without forms of any kind; and what steps he proposes to take under these circumstances to ensure accurate and reliable Returns from Wales?

MR. LONG: Every Registrar in Wales and in Monmouthshire was asked for a statement of the number of schedules in the Welsh language that he would probably require, and this number, with an addition for possible underestimate on his part, was sent to him, the receipt of the same being acknowledged by him. No complaint has been received at the Census Office of the supply having been insufficient. As regards the statement that in many cases English forms without the language column were supplied, it is possible that in some exceptional instances the packers may, by mistake, have put a bundle of such forms into the parcel sent to a Welsh Registrar; but the Registrar General has only received information of two cases in which such a mistake was made. No information has been received at the Census Office of "whole rows of cottages having been left without forms of any kind." In all cases where complaint has been made that the enumerator has left a house or houses without schedules, the Registrar General has given immediate orders that the omission shall be rectified. In any case where it shall be shown that schedules without the language column have been distributed in Wales or in Monmouthshire, the Registrar General will take steps to have the necessary information collected by a fresh visitation.

Mr. S. SMITH: I beg to ask the President of the Local Government Board whether he is aware that at Tryddyn, in Flintshire, Census forms, intended for England, without the 12th column to state what language is used by the persons enumerated, were distributed, and that the proper Welsh forms could not be obtained; and whether any steps will be taken to enable the inhabitants to state what language they use?

Mr. LONG: The Registrar General will cause inquiry to be made, and if the facts be as stated, will cause steps to be taken to enable the inhabitants to supplement their former schedules.

Mr. LLOYD-GEORGE (Carnarvon, &c.): I beg to ask the President of the Local Government Board whether he has received any complaints with regard to the alleged tampering by the collector of the Census papers at Machynlleth, Montgomeryshire, with the language column in the returns by substituting the word "both" for the words "Welsh only"; whether he will cause inquiries to be made into this allegation; and whether any steps will be taken to ensure the accuracy of the returns?

Mr. LONG: I am informed by the Registrar General that no such complaint has been received by him; but he will make inquiry on the subject.

Mr. S. T. EVANS (Glamorgan, Mid): I beg to ask the President of the Local Government Board whether he is aware of the fact that in many districts in Wales no Welsh Census papers have been distributed or delivered when they were demanded; what method was adopted for the allocation or distribution of the papers; and with whom the blame rests for the neglect in not having a sufficient number of the papers circulated and delivered?

Mr. LONG: I must refer to the answer which I have already given to the hon. Member for Merthyr Tydvil.

ELECTRIC LIGHTING IN LONDON.

Mr. J. SPENCER BALFOUR (Burnley): I beg to ask the President of the Board of Trade whether the Board intend to grant a third Provisional Order under the Electric Lighting Acts in any district in London where there are already two Electric Lighting Companies empowered by Provisional Orders to supply electricity; and whether, if so, he will explain why it is now intended to depart from the principle laid down by the Board of Trade, after the Westminster Inquiry of 1889, that there should be only two companies, each for a different system, authorised by Provisional Orders, in one district, and also from the policy of the Board of Trade as stated by the President on the 12th May last?

*Sir M. HICKS BEACH: It is not intended to grant a third Provisional Order under the Electric Lighting Acts in any urban district where there are already two Electric Lighting Companies empowered by Provisional Orders to supply electricity, unless there are strong reasons to suppose that one of such Electric Lighting Companies will be unable to exercise its powers within a reasonable time. Where, however, this is the case, I do not think that it is desirable that the inhabitants of a district should be entirely debarred from the advantages of competition.

VOLUNTEER AND MILITIA SURGEONS.

Dr. CLARK (Caithness): I beg to ask the Secretary of State for War whether Volunteer surgeons are now promoted to brigade rank; and, if so, whether it is the intention to promote to a similar rank the senior Militia surgeons, some of whom have been serving before the Volunteer force was instituted?

*The SECRETARY of STATE for WAR (Mr. E. Stanhope, Lincolnshire, Horncastle): The reason why the Volunteers have this advantage is because they are organised by brigades, and the rank of brigade-surgeon is conferred in recognition of the increased responsibility attached to the principal medical officer of a brigade.

THE GWYLWYR SETT QUARRY.

Mr. LLOYD-GEORGE: I beg to ask the Secretary to the Treasury whether the Commissioners of Woods and Forests have yet granted a lease of the Gwylwyr Sett Quarry, Carnarvonshire; and, if so, what provision has been inserted in such lease for the effective working of the quarry.

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): Gwylwyr Quarry has been let to the persons who were the sitting tenants when the Crown got possession, at a minimum rent of £50 merging in royalties, with usual clauses for the effectual working of the quarries.

EXEMPTION OF FOREIGN AMBASSADORS FROM RATES AND TAXES.

MR. MORTON: I beg to ask the Under Secretary of State for Foreign Affairs whether Ambassadors and Ministers representing Foreign Powers in this country are exempt from rates and taxes?

*SIR J. FERGUSSON: No process of law can be instituted against any foreign Ambassador or Minister in this country for the recovery of rates and taxes. By law they are exempt from Income Tax, and it is the practice not to make any charge to them in respect of House Duty or Establishment Licence Duty. They are, at least in many cases, assessed for rates, and I believe that sometimes, when they rent houses, the rates are charged to the proprietors, and the rent is raised proportionately.

BERLIN LABOUR CONFERENCE.

MR. ELLIOTT LEES (Oldham): I beg to ask the First Lord of the Treasury whether any, and if so what, legislative action has yet been taken by any Foreign Government to carry out any of the reccommendations of the Berlin Conference upon labour questions; and whether any system analogous to what is known as "the half-time system" exists in any foreign country?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The information asked for by the hon. Member is still in course of collection, and I regret, therefore, I am not yet in a position to give him particulars. If he will kindly repeat his question in about 14 days' time, I hope to be then in possession of full information.

Mr. Lloyd-George

THE LABOUR COMMISSION.

MR. J. M'CARTHY (Londonderry): I beg to ask the First Lord of the Treasury when he will be able to state to the House the names of those whom it is proposed to appoint on the Labour Commission?

*MR. W. H. SMITH: I am sorry that I am not able to make my promised statement to-day, and I am not certain whether I shall be in a position to do so to-morrow. I hope to be able to make a statement on Monday.

THE SALMON FISHERIES (IRELAND) ACTS.

MR. MACARTNEY (Antrim, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the action of the Inspectors of Fisheries in Ireland in prosecuting, under the provisions of the Salmon Fisheries (Ireland) Acts, a large number of millowners in the county Antrim; whether he is aware that very considerable employment is given to the rural population in the County Antrim in mills worked by hydraulic machinery, and that if the requirements of the Inspectors are to be enforced a large number of these mills must necessarily be closed; and whether he will instruct the Inspectors of Fisheries to give the greatest latitude possible in carrying out the exemption clauses of the Fisheries Acts when necessary for the effective working of hydraulic machines?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Inspectors of Irish Fisheries report that the institution of proceedings against millowners for non-compliance with the Fishery Laws rests not with them, but with the Local Boards of Conservators. The Inspectors have in every case in which they have received complaint from a millowner that injury would arise to the working power of his mill by a strict compliance with the law, and in which they have satisfied themselves that the complaint was well founded, granted the necessary exemption, and, so far as the Inspectors are aware, there is no ground for the fear which has been represented to my hon. Friend that any mill will be closed or interfered with in its working through the administration of the law by the Inspectors, whose policy, on the contrary, has always been in no way to injure the effective working power of any mill, be it ever so insignificant.

Mr. MACARTNEY: I beg to give notice that I will call attention to this question.

ILLITERATE VOTERS IN SLIGO.

Mr. WHITMORE (Chelsea): I beg to ask the Attorney General for Ireland if he can ascertain, for the information of the House, what was the number of votes that were polled by illiterate voters in the recent election in North Sligo?

The ATTORNEY GENERAL for IRELAND (Mr. Madden, Dublin University): I must ask the hon. Member to postpone the question until tomorrow.

ADVANCES UNDER THE ASHBOURNE ACTS.

Mr. KEAY (Elgin and Nairn): I beg to ask the Chancellor of the Exchequer whether a separate account is kept to which the issues out of the Consolidated Fund for advances made under the Ashbourne Acts have been charged, and to which the repayment made by tenant purchasers are credited; out of what account are issued the dividends payable half-yearly to the public on the loans raised under these Acts; and is there a Sinking Fund separately kept for the redemption of these loans; and if so, what is the annual percentage paid to that fund?

Mr. GOSCHEN: Issues for advances under the Ashbourne Acts are made not from the Consolidated Fund, but from the Local Loans Fund, established under 50 & 51 Vict., cap. 16. Such issues and the corresponding payments are separately entered in the annual account of the Local Loans Fund. House of Commons Paper 95 of 1891 is the latest account of that fund, with the Auditor General's Report upon it for 1889-90. The dividends on Local Loan Stock are charged to the Income Account of the Local Loans Fund; see p. 3 of the Parliamentary Paper above mentioned. That portion of the repayments by borrowers which represents principal is carried to the Capital Account of the Local Loans Fund, and is either applied in making new loans from that fund, for which fresh Local Loan Stock would otherwise have to be created, or is invested until required to redeem Local Loan Stock, which cannot be paid off before 1912. In either case such repayments of principal are treated as a Sinking Fund. Under the terms of the Ashbourne Act, out of every £4 repayable by a borrower £3 2s. 6d. represents interest on the loan made to him, and 17s. 6d. is principal, as the latter sum, if received annually for 49 years and accumulated at $3\frac{1}{8}$ per cent., would amount to £100. The actual receipts are, however, apportioned each year between principal and interest.

LAND PURCHASE IN IRELAND.

Mr. LEA (Londonderry, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, how many of the purchasers under "The Irish Church Act, 1869" have been permitted to take advantage of Section 25 of "The Land Law (Ireland) Act, 1887"; what was the total number of purchasers; how many of the purchasers under the Landlord and Tenant (Ireland) Acts, 1870, 1872, and 1881, have been permitted to use Section 27 of "The Land Law (Ireland) Act, 1887"; and what was the total number of purchasers under those Acts?

Mr. A. J. BALFOUR: The Irish Land Commissioners report that the total number of purchasers under the Irish Church Act, 1869, was 7,000. The total number of mortgages of Church lands outstanding in 1885 was 2,665. The total number of mortgagors or purchasers who obtained the benefit of Section 23 of the Purchase of Land (Ireland) Act, 1885, and of Section 25 of the Land Law (Ireland) Act, 1887, was 2,591. The total number of purchasers under the Land Acts of 1870 and 1872 (which are administered by the Board of Works) was, I understand, 876, and the number of these who received the benefit of Section 24 of the Act of 1887 quoted was 787. The total number of purchasers under the Land Act of 1881 was 731, and the number of these who obtained the benefit of Section 27 of the Act of 1887 was 726.

DISTRESS IN DONEGAL.

Mr. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to a series of resolutions passed at a meeting of the Raphoe clergy, held in Letterkenny on 31st March under the presidency of the Most Rev. Dr. O'Donnell, Lord Bishop of Raphoe, which resolutions describe the condition of the poor over wide areas in North Western Donegal, from Gweedore to Swilly, to be one of perilous destitution in the absence of assistance; request the authorities not to allow the distress to become more acute by the refusal of public employment; and urge on the Government the construction of a railway from Letterkenny to Gweedore, which would give employment in parishes where the potato blight of last year was exceptionally destructive; and what steps, if any, do the Government intend to take with a view of meeting the suggestions of the Raphoe clergy, and relieving this distress?

Mr. A. J. BALFOUR: The resolutions referred to have been brought under the notice of the Government, who have also before them Reports regarding the condition of the different portions of the County Donegal to which the Resolutions relate, and the entire matter is engaging careful attention.

RELIEF WORKS.

Mr. A. O'CONNOR (Donegal, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what steps, if any, have been taken to start relief works in Ranafast, Ranomona, and Loughnanoran, in West Donegal; whether he is aware that there is much fever in these districts; and what means of subsistence there are for the 783 inhabitants from this time till June, and for the women and children from June till the return of the wage-earners from the Scotch harvest in August?

Mr. A. J. BALFOUR: I must ask the hon. Gentleman to defer the question.

Mr. A. O'CONNOR: I will repeat it to-morrow.

PIER DUES IN CORK.

Mr. PENROSE FITZGERALD (Cambridge): I beg to ask the Secretary to the Treasury if he is aware that, in 1890, the secretary to the Grand Jury of the County of Cork was informed by the Secretary to the Board of Works in Dublin that the necessary bye-laws to enable that Grand Jury to collect the dues on the various piers in the county would be issued as soon as they had received the approval of the Lord Lieutenant in Council, and that at the meeting of the Cork Grand Jury, this Spring, the secretary, on again applying, was told, under date 18th March, 1891, by the Secretary of the Board of Works—

> "That the bye-laws are before the Privy Council for approval, and will be issued as soon as possible;"

And how long this delay will be continued?

Mr. JACKSON: I am informed that the Grand Jury has power to collect dues without the bye-laws referred to. There has been some unavoidable delay in negotiating with some of the Grand Juries with regard to the bye-laws which are intended to apply to all fishery piers and harbours round the coast, but the Board of Works are now in communication with the Privy Council Office with a view to obtaining the approval of the bye-laws by His Eminence the Lord Lieutenant, as early as possible.

ADMIRALTY SUPPLIES IN COUNTY SLIGO.

Mr. J. F. X. O'BRIEN (Mayo, S.): I beg to ask the Secretary to the Admiralty whether his attention has been called to complaints made by the victuallers of Westport, County Mayo, that whilst it has been customary for Her Majesty's ships stationed on the west coast calling at that port to get their meat supplies by contract for shorter or longer terms, for some time past the supplies have been procured from a favoured few; whether he will be so good as to inquire into those complaints; and if they prove well founded, will he see that the benefits of the orders from Her Majesty's ships shall be fairly distributed among the victuallers of Westport?

The SECRETARY to the ADMIRALTY (Mr. Forwood, Lancashire, S.W., Ormskirk): No complaints from victuallers at Westport have reached the Admiralty. No contract for meat has been made at Westport, as the demand does not justify one. Her Majesty's ships calling there will, as a general rule, only be coastguard cruisers, requiring a few pounds at a time, and they will make their purchases in the ordinary manner.

IRISH RAILWAYS.

Mr. A. O'CONNOR: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether arrangements have yet been made for a station at Ballybofey, on the new Stranorlar and Glenties Line?

Mr. JACKSON: I am informed that there is to be a station situated to the east of Ballybofey, at a distance of less than half a mile. It has, therefore, not been thought necessary to incur the expense of building a separate station.

Mr. A. O'CONNOR: Have not representations been received from the district to the effect that the markets will be thoroughly destroyed unless a station is erected?

Mr. JACKSON: I am not aware of any representations having been received, but I remember that when I was in the district somebody spoke to me in connection with the question to which the hon. Member refers, and I answered at the time that it might be found desirable, if possible, to make a station there.

Mr. A. O'CONNOR: Will it be done?

Mr. JACKSON: I do not know whether arrangements have been made for it, but I will inquire.

NEW MEMBERS SWORN.

Captain George William Grice-Hutchinson, for Borough of Aston Manor.

Bernard Collery, esquire, for County of Sligo, North Sligo Division.

MOTION.

REGIMENTAL DEBTS CONSOLIDATION BILL.

On Motion of Mr. Secretary Stanhope, Bill to consolidate and amend the Law relating to the payment of Regimental Debts, and the collection and disposal of the effects of Officers and Soldiers in cases of Death, Desertion, Insanity, and other cases, ordered to be brought in by Mr. Secretary Stanhope and Mr. Brodrick.

Bill presented, and read first time. [Bill 273.]

ORDERS OF THE DAY.

PRIVATE BILL PROCEDURE (SCOTLAND) BILL.—(No. 114.)

NOMINATION OF SELECT COMMITTEE.

Order read, for resuming Adjourned Debate on Question [23rd March], "That the Committee do consist of Twenty Members."—(*The Lord Advocate.*)

Question again proposed.

Debate resumed.

(4.10.) **Mr. MUNRO FERGUSON** (Leith, &c.) moved, as an Amendment, that—

> "The Committee do consist of all the Scottish Representatives and 30 other Members to be nominated by the Committee of Selection."

The hon. Member said: Seeing that the Amendment was moved on a previous occasion, it is not necessary that I should trouble the House with my reasons for arriving at the opinion that the matters entrusted to this Committee should be considered by the whole of the Scotch Members. I do not propose to do anything that would prevent the main object of appointing a Committee from being carried. There is a great desire in Scotland that some measure dealing with Scottish Private Bill Legislation should be carried through this House without delay. I have, however, some reasons to give why the Committee should be composed of the whole of the Scottish Representatives, with the addition of 30 other Members nominated by the Committee of Selection. It is eminently a matter upon which the opinion of the Scottish Representatives should be taken. It is proposed to withdraw the consideration of Scotch Private Bills from the Representatives of the nation, and to hand them over to something like a bureau. I suggest that 30 English and Irish Members should be added because it is impossible for the proposals of the Government to stop at Scotland. It is almost certain that the system will be extended from Scotland to England and Ireland, and it is therefore only fair that the Committee should have the experience of English Members. My last reason is that, if my Amendment is adopted, the time of the House will be saved, seeing that it will prevent the whole business from being gone through again. I beg to move the Amendment of which I have given notice.

Amendment proposed,

To leave out the words "Twenty Members," and add the words "all the Scottish Representatives, and Thirty other Members to be nominated by the Committee of Selection."—(*Mr. Munro Ferguson,*)

—instead thereof.

Question proposed, "That the words 'Twenty Members' stand part of the Question."

(4.12.) THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The hon. Gentleman can hardly expect that the Government will accept this Amendment, seeing that it is most desirable that the Bill should receive confirmation this Session, and that there should be no unnecessary delay. It is not necessary to say that the acceptance of this proposal would render that absolutely impossible. The proposition of the hon. Member for Leith (Mr. Munro Ferguson) is that the proportions of the Committee should be very widely altered—that all the Scotch Members, 70 in number, should be upon it, and that 30 English Members should act with them. The Committee has been struck in accordance with the usual practice as to the balance of Parties upon it. As regards the proportion of Scotch Members the Amendment really makes no substantial improvement as far as the adequate representation of Scotland is concerned. It gives a proportion almost exactly of 14 in 20, whilst the Government proposal is 13 in 20 of Scotch Members. The essential objection, however, is that if the Committee is so constituted, the responsibility for the measure would really pass out of the hands of the Government and of the majority of the House, and, accordingly, so far from the proceedings in the Committee being a saving of time, they would probably give rise to difficulties which would have to be rectified, if at all possible, by the action of the whole House. I may remind the House that when the subject was discussed before the Easter Recess it was intimated by the Front Bench that this matter should be discussed very briefly when it was taken up after Easter, but that the sense of the House as to the composition of the Committee should be at once taken.

Mr. Munro Ferguson

(4.15.) DR. CLARK (Caithness): No doubt the proposition of my hon. Friend the Member for Leith would give a very large Committee, but the Committee proposed by the Government is a very unsatisfactory one. It has been struck in accordance with the present method of striking Committees, but that is a method which has only been in operation for two or three years, and I think it is one which is working very badly indeed. For my own part, I very much prefer the old plan, which provided that if a Committee consisted of 20 Members, 11 should be selected from Members representing the Government side of the House and nine from the Opposition. The Committee proposed by the Lord Advocate has been struck in a very curious manner. The Liberal Whips are responsible for seven Members, and they have put down the names of seven Scotch Liberals. We are anxious that Scottish Representatives should predominate upon the Committees that are appointed for the consideration of purely Scottish questions; and two years ago, owing to the pressure that was brought to bear upon the Lord Advocate, an important Committee was nominated which comprised the whole of the Scottish Representatives. The right hon. Gentleman, however, was afraid that he had gone a little too far, and therefore he struck off his own colleague, the then Solicitor General for Scotland, and replaced him by a Scotchman who had, unfortunately, been unable to secure a Scotch seat, but represented an English constituency. Consequently, all the members of the Committee were Scotchmen, and all represented Scottish constituencies except one. Five of the Committee proposed by the Lord Advocate are Scottish Members who belong to the Conservative Party; in addition there are three English Conservatives, one Irish Conservative, two Liberal Unionists, one Irish Conservative, and two other Irish Members. Now, this is purely a Scottish matter, and I think the English and Irish Conservatives might give way to Scotch Conservatives. As to the two Liberal Unionists, I look on them as Conservatives; and as to the one London Member, I do not think his services are required at all on such an occasion. Then, again, we have one

Irish Member who is at present some 6,000 miles away. He was in America when his name was proposed, and he has now gone 3,000 miles further West. But even among the Irish Members there are sub-divisions, because we have the Parnellites and anti-Parnellites. Judging from what has already taken place, I think the Parnellite is to be considered as a Government Member. [*Cries of* "No!"] Well, in Ireland the Parnellites are the allies of the Government. [*Cries of* "No!" *from the Government Benches.*] Personally, this Session I have had some experience in regard to the serving of Nationalist Members upon Public Committees. We were three or four weeks considering our Report, and although the matter was one which very much affected Ireland neither of the Irish Members put in an appearance.

An hon. MEMBER: What was the Committee?

DR. CLARK: I am speaking of the Colonisation Committee. As the present matter is one which wholly affects Scotland, I think we should have a very different Committee from that which has been suggested by the Government, and it must not be forgotten that in similar circumstances, not long ago, we had a Committee composed of the whole of the Scottish Representatives, with one or two English Members placed upon it in order to give advice in regard to English procedure. That was the course pursued in reference to the Scotch Police Bill, and it worked extremely well. I certainly do not think that the Committee proposed by the Lord Advocate would be a proper one for considering the question of Scottish Private Bill Procedure, and the probability is that a great deal of time would be wasted, because the Committee would not secure the confidence of the Scotch people and the Scottish Representatives. I regret very much that the Government are not prepared to meet the Scottish Members in a more amicable spirit. The only thing, however, we can do is to protest against the composition of the Committee, and move the striking off of the names of the English and Irish Members.

*(4.20.) MR. CAMPBELL-BANNERMAN (Stirling, &c.): My impression in regard to the question before the House is that there is a more substantial agreement among us than appears to be the case at the first view. The object that we on this side of the House have in view is to secure that the Select Committee to which this Bill is to be referred should be of sufficient importance to deal with the matter. We regard the subject as one of first-class importance. The proposal is to constitute a new tribunal for Scotland for the performance of a large part of the duties at present fulfilled by Parliament itself. My hon. Friend who spoke last has implied that this is so purely a Scotch question that English and Irish Members are not in their proper place on the Committee. I cannot say that I share that opinion. Undoubtedly the Bill has nothing to do with England or Ireland; but equally without doubt the same principle will in turn be applied both to England and Ireland, and it would be strange indeed if no English or Irish Members were placed on the Committee. What we want to secure is that there should be a substantial foundation of Scotch Members before we proceed to add English and Irish Members. It has been pointed out that there are 13 Scotch Representatives proposed by the Government; but I do not think that such a Committee is adequate to deal with this large question. The proposal of my hon. Friend the Member for Leith is that we should take the course which was suggested by him years ago in reference to the Local Government Bill. It was then proposed that the Committee should be composed of all the Scottish Members, with 30 Members added by the Committee of Selection. It must be admitted that this would be a very large Committee for the consideration of a subject which, although of the first importance, is much more limited in its scope than the subject of Local Government. I think the Government have been informed what it is we really want, and, even after the speech of the Lord Advocate, I would venture to appeal to the Government to meet us by increasing the size of the Committee. What we want is to have a thorough consideration of the Bill by the Scotch Members, with, at the same time, some English and Irish Members. I think that 20 Scotch Members and 10 Irish and English Members would be an adequate tribunal, and I believe that by making that concession the Government

would quicken the progress of the Bill. There is but very little difference between us. We are all agreed, in the main, as to the principle of the Bill which the right hon. Gentleman has described as being the principle of local inquiry. There is no difference of opinion on that point, and I think the Government might, with advantage to the progress of business, accept the proposal I have made. We have no object in the matter except to assist the Government in passing such a measure as shall carry out the wishes of the Scotch people in this matter.

*(4.29.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I think the right hon. Gentleman will see that the proportion of Scotch Members will be the same if his suggestion were adopted as in the proposal of the Government, and that he would get no addition of Scotch Members. It is the desire of the Government that the Bill should not only be considered, but passed as the result of the deliberations of the Committee; and, therefore, I submit to the right hon. Gentleman whether it would not be better to have a small Committee than a Committee consisting of a large number of Members? I think the right hon. Gentleman is mistaken in supposing that at any time the Government accepted the proposal he has made. I am sure the right hon. Gentleman has no desire to do otherwise than find some method by which the two sides of the House, and particularly the Scotch Members, can arrive at a decision, and I trust the right hon. Gentleman will be satisfied with the Committee as guaranteeing the adequate consideration of the Bill.

(4.31.) SIR G. TREVELYAN (Glasgow, Bridgeton): Dealing with the question from a practical point of view, I think I can bring a strong instance to prove that my right hon. Friend has more justice on his side than the right hon. Gentleman opposite. There is the case of the Police Superannuation (Scotland) Bill, which was referred to a Committee, the majority of which were Scotch Members, and they devised a scheme which was accepted with great satisfaction by Scotch Members, and which in the course of the Debates on the English Bill was regarded with great envy by many English Members. The success of that Committee was due to the fact that it was composed of Scotch Members who were interested in the question and who could bring energy, knowledge, and industry to bear on it. I earnestly wish the right hon. Gentleman would follow the example set by his own Government on that occasion, and grant a Committee to deal with Private Bill procedure as the Committee last Session dealt with police superannuation in Scotland.

(4.34.) SIR G. CAMPBELL (Kirkcaldy, &c.): This Bill is a bad Bill, and it ought to be referred to a large Committee, something like a Grand Committee. I may, perhaps, be permitted to protest against the idea that in their absence the Independent Members for Scotland are to be bound by whatever the right hon. Gentleman the Member for Wolverhampton may say about the time the discussions will occupy. I think the right hon. Gentleman went a little too far in stating that the discussion of this subject would only occupy an hour and a half.

(4.35.) MR. H. H. FOWLER (Wolverhampton, E.): After the personal attack my hon. Friend (Sir G. Campbell) has made upon me, I must tell him that he has certainly read a very inaccurate account of what took place. I made no attempt whatever to give an undertaking on behalf of the Scotch Members. In fact, the Scotch Members were represented not only by my right hon. Friend the Member for Mid Lothian (Mr. Gladstone), but by my right hon. Friend the Member for Bridgeton (Sir G. Trevelyan). What took place was this: A Scotch Member complained that the matter had not been taken on a Friday night before the Easter Recess, saying that it would not have occupied more than an hour and a half. The First Lord of the Treasury, as he had a right to do, adopted the statement, and assumed that if an hour and a half was sufficient then it would be sufficient on a subsequent occasion.

SIR G. CAMPBELL: What I read was a statement quoted by the right hon. Gentleman the First Lord of the Treasury from the right hon. Gentleman the Member for Wolverhampton, as reported in the *Times*.

(4.37.) MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I may be permitted to say that there was no attempt to bind the Scotch Members, and we are aware that in the case of my hon. Friend behind me (Sir G. Campbell) such an attempt would have been entirely ineffectual. The right hon. Gentleman opposite, if I understood him rightly, bases his argument in support of resistance to the present proposal solely on one ground. He says the Bill would get much more quickly through a small than through a large Committee. That may be so or not, but I am disposed, for the sake of argument, to concede it. But permit me to say that is not the only or the main question. The main question is, with what amount of authority will the Bill come back from the Committee? The object of referring Bills to Committees of this kind is to save the House the trouble of labouring through the clauses. This is the ground on which the Scotch Members are in favour of the Amendment before the House. I must say I think there is great force in that consideration, and that it applies especially to a case of this kind. The question is by no means an easy one; and if it were not an easy one, I think the Government would do wisely in obtaining all the assistance they could and the sanction of as large a portion of Scotch opinion as represented in this House as they could. On these grounds I think it would have been wiser to accede to the proposition before the House.

*(4.40.) THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I should like to point out that this is not a proposal, as the right hon. Gentleman suggests, to refer this Bill to a Grand Committee; it is a proposal of a wholly different character. A Grand Committee is a Committee that takes the place of a Committee of the whole House. It is not proposed by the hon. Gentleman the Member for Leith to refer this Bill to a Committee constituted on that principle at all, but to a Committee of 100 Members, before whom the discussion would be of a very lengthy character. Our desire is, firstly, that this Bill should be thoroughly considered upstairs; and, secondly, that it should afterwards be passed. We believe it would pass by referring it, first of all, to a Committee of reasonable dimensions, and for this reason: We admit the measure contains novel principles, and we believe those novel principles will best be discussed by a small Committee than by a Committee composed of so many Members as 100. We think our proposal is the better one in the interest of the Bill itself, and we claim the support of all those who desire to see the Bill passed into law during the present Session.

(4.44.) MR. HUNTER (Aberdeen, N.): The right hon. Gentleman has altogether missed the point of this Amendment. The point is not whether the Committee is to consist of 20 or 100 persons, but whether it is to be a Committee representing Scotch and Liberal opinion, or English and Tory opinion. According to the suggestion of the Lord Advocate, the Committee will be so constituted that the voice of the Scotch Members may be entirely overpowered, and a Bill brought out of the Committee which may be at variance with Scotch opinion, although it may not even be in conformity with English opinion. Hon. Members ought not to deceive themselves by irrelevant questions as to the numbers of the Committee. The question is, whether Scotchmen are to have their own way or not. I am persuaded it will be said in Scotland, "Here is a measure exclusively Scotch, and yet the Government say that the Scotch people shall not have their affairs managed according to their own ideas, but according to English ideas."

(4.48.) The House divided:—Ayes 189; Noes 136.—(Div. List, No. 119.)

Main Question again proposed.

(4.58.) MR. E. ROBERTSON (Dundee): Before the Main Question is disposed of, I wish to say it is not my intention to move the Amendment of which I have given notice, substituting for the name of the hon. Member for Leeds that of the hon. Member for Aberdeenshire. Of course, it is hardly necessary to add that my Amendment was in no sense directed against the hon. Member for Leeds personally, but intended simply to carry out the wishes of a great many Members on this side of the House who come from Scotland, that the Committee should be largely, if not entirely, Scotch. I am not particularly sorry that the Amendment of the hon. Member for Leith has been defeated, and I do not desire to renew the discussion upon it. But, as allusion has been made to the feeling which is said to exist in Scotland in favour of the main principle of this Bill, perhaps I may be permitted to say a few words upon that point. I admit there is a strong and general sentiment in Scotland in favour of some kind of local inquiry in connection with Private Bill legislation relating to Scotland; but I deny entirely that there is any feeling in favour of the particular method the Government have adopted for solving the question. The great objection to the Bill is that the Government are interpolating into the proceedings of the House an alien and extraneous body, to whom they are giving a power unknown in the House. If the Government will refrain from tying the hands of the House in disposing of its own business; if they will not give to any official or judicial persons the right of amending a Bill in its progress through this House, or the right to stop a Bill, I venture to say all difficulties will be removed. I do not know whether I am quite in order in making this suggestion now, but I should be glad to have an assurance from the right hon. Gentleman on the subject.

*(5.0.) MR. W. H. SMITH: I am afraid I should be out of order if I proceeded to enter into a discussion of this matter now. On the part of the Government, I can only say that we are anxious that the Committee should have a free hand, and I believe it would be in the power of the Committee to consider the suggestion made by the hon. Member.

*(5.1.) MR. D. CRAWFORD (Lanark, N.E.): The alternative suggestion of the right hon. Gentleman the Member for Stirling Burghs, that the Committee should consist of 30 Members, is one that meets with the approval of Scotch Members generally; and as my right hon. Friend stated at length the reasons upon which that alternative proposal recommended I will now limit myself to the Motion that 30 be substituted for 20.

*MR. SPEAKER: It is incompetent for the hon. Member to do that, the House having decided that 20 shall stand part of the Question. The Question now is, "That the Committee do consist of 20 Members."

(5.2.) DR. CLARK: Am I to understand that the Government are not willing to yield in the slightest degree, and are determined to have this Committee constituted as they propose? Now, the predecessors of the present Government, when they had an important Scotch Bill before the House, admitted after the Second Reading the principle of Scottish Home Rule, and referred the Bill to a Committee of 25, upon which Committee there were no Irish Members and only a few English Members, and these last were included because of their special knowledge of the working of the Public Health Act in England, and so in the arrangement of a Public Health Act for Scotland the experience of these gentlemen was of value. So the principle, that a Bill bearing exclusively upon Scotland should have its details determined by a Committee of Scottish Members, was admitted by the predecessors of the present Government.

*MR. SPEAKER: The hon. Member would be out of Order in discussing the Bill or the number of Members now.

DR. CLARK: I am arguing Sir, in favour of the omission of the names of English Members.

*MR. SPEAKER: That will come afterwards on a Motion to substitute one name for another. The Question now is, "That the Committee do consist of 20 Members."

Question put, and agreed to.

Ordered, That the Committee do consist of 20 Members.

Mr. Gerald Balfour, Dr. Cameron, Mr. James Campbell, Mr. Campbell-Bannerman, Dr. Clark, Mr. Arthur Elliot, Sir Archibald Orr Ewing nominated Members of the Committee.

Motion made, and Question proposed, "That Mr. Flynn be one other Member of the Committee."—(*The Lord Advocate.*)

(5.8.) DR. CLARK: I should like to ask who is responsible for the nomination of Mr. Flynn, and if Mr. Flynn is willing to serve. As I am going to make an objection to another name for the reasons I have mentioned, so also I will take a Division against this name of a gentleman against whom there is no other objection, and who is one of our allies on this side of the House. The late Lord Advocate conceded the principle that an exclusively Scotch Bill should be considered by a Committee of Scotchmen, and even the present Government carried the concession further with the last Scotch Bill referred to a Select Committee. All the Members proposed for that Committee were Scotch Members, though when the Solicitor General was promoted to a Judgeship, they appointed an English Member to replace him on the Committee. Eighteen of the nineteen Members of the Committee on the Police Superannuation (Scotland) Bill last Session were Scotch, and the nineteenth was an old Scotch Member, and, probably, did good service on the Committee as such. But the Government are now going back from the principle they then conceded, because, I suppose, they think that the Home Rule idea is dying out, and they can oppose it with greater success. But in that they are mistaken, as later on they will discover. I object to the name of Mr. Flynn, simply because I think this Committee should be composed entirely of Scotchmen.

Sir G. TREVELYAN: I think my hon. Friend would do well to withdraw his objection. We hope this Committee will prove a practical success, and it will probably set a precedent of the greatest importance for other parts of the Kingdom. There is no personal objection to Mr. Flynn, there is not the objection to him that there is to another gentleman nominated, that he is at the moment thousands of miles away. I am informed that Mr. Flynn will be in regular attendance probably during the whole time the Committee is sitting. I think myself it is most unfortunate that several extremely valuable Scotch Members are not included in the Committee, but the proposition being what it is, I doubt whether we shall improve the composition of the Committee by displacing one of the Members from Ireland whose attendance on the Committee will be possible.

Question put, and agreed to.

Sir Julian Goldsmid, Sir Edward Harland, Mr. Hunter, Mr. Leng, Mr. M'Ewan, Colonel Malcolm, Sir Stafford Northcote, nominated Members of the Committee.

Motion made, and Question proposed, "That Mr. O'Kelly be one other Member of the Committee."—(*The Lord Advocate.*)

Dr. CLARK: I must object to the name of Mr. O'Kelly, who is at this moment some 6,000 miles away.

(5.14.) The House divided:—Ayes 213; Noes 124.—(Div. List, No. 120.)

Colonel NOLAN (Galway, N.): With reference to the last Divison, I may be allowed to say that if any hon. Member had communicated with me to the effect that there would be an objection raised to the name of my hon. Friend the Member for Roscommon, I should have been most happy to have met the objection and the wishes of the minority by submitting another name to the House.

Mr. Charles Parker, Mr. Secretary Stanhope, Mr. Mark Stewart, and the Lord Advocate nominated other Members of the Committee.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Five be the quorum.

*(5.25.) Mr. SPEAKER: Three notices of Motion for Instructions to the Committee stand on the Paper. The first of these stands in the name of the hon. Member for West Edinburgh (Mr. Buchanan) instructing the Committee that they have—

> "Power to insert Clauses in the Bill to provide that Railway and other Companies desiring to obtain Parliamentary powers to close, enter upon, or interfere with a right of way shall serve notices upon the council or councils of the district within which such right of way extends."

That refers to a preliminary procedure which is now subject to, and under the jurisdiction of the Examiners, and governed by Standing Orders in relation to Private Bills. True it is, that under a section of the Bill, County Councils and Town Councils may make reports upon a Bill; but that is after the Bill has taken its formal and definite shape. This proposal would alter the preliminary procedure previous to the Bill being presented to Parliament, and is, therefore, outside the scope of the present Bill, and contemplates an alteration in Private Bill procedure previous to the Bill being put into the form in which the House is asked to adopt it. This Instruction, therefore, cannot be moved. The next Instruction is in the name of the right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler), that the Committee shall—

> "Have power to make provision for the simplification of the procedure and the reduction of the cost of Provisional Orders."

The right hon. Gentleman will be in Order in moving that. The third Instruction in the name of the hon. Member for the St. Rollox Division (Mr. Caldwell) is to give the Committee—

> "Power to substitute a Joint Committee of both Houses of Parliament for the Commission as set forth in the Bill, and that the Joint Committee or Commission, as the case may be, be empowered to dispense with local inquiry."

This would be quite out of Order. It is a proposal to substitute an entirely new tribunal for that proposed in the Bill, and it will be in the recollection of the House that in the Debate upon the Second Reading the House rejected an Amendment embodying a similar proposal.

Mr. CALDWELL (Glasgow, St. Rollox): May I ask the First Lord of the Treasury whether, after this ruling, and if local inquiry is the essential principle of the Bill, the Government intend to proceed with a Bill involving so great a constitutional change as the exclusion of this consideration from Committee of both Houses of Parliament?

*Mr. W. H. SMITH: I do not know whether I shall be in order in answering that question now, but I think I have answered it repeatedly, and we adhere to our proposals.

Mr. H. H. FOWLER: I gave an undertaking before we separated for the Easter Recess, that I would not make a speech on moving my Instruction, and to that undertaking I adhere. My simple desire is that the Committee should not have a mandatory, but an optional, Instruction, and may, if they think fit, deal with the question of simplification of the procedure and reduction in the cost of Provisional Orders. In this, I believe, may be found a remedy for the great cost and delay in Private Bill Legislation —in an extension of the Provisional Order System in Scotland. I have it on the authority of the President of the Board of Trade that 37 Provisional Orders were granted last year without opposition, and at comparatively small

cost, and I think it is desirable that the Committee should have the option of considering the question as regards Scotland. So I formally move the Instruction with no desire to initiate a Debate now or fetter the action of the Committee.

Motion made, and Question proposed,

> "That it be an Instruction to the Committee that they have power to make provision for the simplification of the procedure and the reduction of the cost of Provisional Orders."—(*Mr. H. H. Fowler.*)

Mr. A. SUTHERLAND (Sutherland): I will only say a few words in support of this Motion. There are cases in Scotland at the present time in relation to which a reduction in the cost of Provisional Orders would be highly beneficial. The Government have intimated an intention of granting money for piers and harbours, and this is highly appreciated by the localities. The best way of managing such harbours would be to constitute Harbour Trusts, and, I think, in this respect, it is of the highest importance that the Government should accept the Instruction of the right hon. Gentleman.

*(5.30.) Mr. W. H. SMITH: I at once acknowledge the spirit in which the right hon. Gentleman the Member for Wolverhampton (Mr. H. Fowler) has acted up to the understanding at which we arrived before the holidays; but the Government find themselves in this position. They are passing an Order, relating not to Provisional Orders, but to Bills. They are desirous that the Committee stage in both Houses of Parliament should be undertaken by a Commission or Committee sitting on a Bill. That is a totally distinct kind of procedure from that respecting Provisional Orders. We are prepared to consider the question of Provisional Orders, and, if necessary, to appoint a Committee to inquire into it.

*(5.34.) Mr. CAMPBELL-BANNERMAN: I cannot quite follow some of the arguments of the right hon. Gentleman. He says the Bill has nothing to do with Provisional Orders; but, as a matter of fact, it does deal with Provisional Orders, inasmuch as private legislation is necessary to confirm Provisional Orders. Then he says, if any change is made with regard to the procedure as to Provisional Orders it ought to be

simultaneously proposed for England, Ireland, and Scotland; but that observation would apply to all the private business of this House with quite as much force. A very slight inquiry into the condition of the feeling in Scotland on the subject, as disclosed before the Committee which sat a few years ago, will show that the greatest complaints were made by the Scotch witnesses with reference to the very class of business dealt with in Provisional Orders. The complaints as to the cost and the cumbrous nature of the present system were addressed much more to the want of greater freedom with regard to Provisional Orders or larger powers on the part of Local Authorities than to any alteration of the system of Bill procedure. The right hon. Gentleman says the Government will consent to the appointment of a Committee to inquire how the system of Provisional Orders may be extended and facilitated. If we are to understand that as a deliberate proposal made by the Government, I think my right hon. Friend might very well withdraw his Instruction. I should be glad, however, to have a distinct understanding on the matter.

*(5.37.) Mr. E. STANHOPE: I do not think there is really any great difference of opinion between the two sides of the House. The Committee which is to consider this Bill will receive evidence from Scotland, and undoubtedly it will receive representations with regard to the working of Provisional Orders in that country. It will be perfectly competent to the Committee, when they have dealt with the Bills before them, to make a Special Report to the House on the subject of Provisional Orders. That being done, the House can instruct the same Committee or appoint a fresh Committee to go into the question of Provisional Orders.

*Mr. CAMPBELL-BANNERMAN: I presume, then, that no Instruction is necessary to enable the Committee to inquire into the question of the Provisional Orders.

*Mr. E. STANHOPE: Subject to your ruling, Sir, I should think it would be open to the Committee to consider the subject of the Provisional Order Bills.

(5.38.) Dr. CLARK: I hope the Government will reconsider this point, because one of the things we want to avoid is to have double fight. Undoubtedly if a Provisional Order is unopposed, it is a cheap and easy means of obtaining Parliamentary sanction to a scheme, but if it is opposed a double fight becomes necessary. As the Secretary for War has indicated that it is only a question of procedure, I trust measures will be taken to prevent double fights taking place.

(5.39.) Mr. MARJORIBANKS (Berwickshire): Mr. Speaker, I should like to put a question to you upon this point—whether in your judgment it would be competent for the Committee to go into the question of Provisional Orders without an Instruction?

*Mr. SPEAKER: I think it would be much safer to adopt an Instruction. If the Committee were not empowered to deal with the question of Provisional Orders they could not embody recommendations respecting them in the Bill, although they could make a Special Report.

(5.40.) Dr. CAMERON (Glasgow, College): I hope the right hon. Gentleman will see his way to adopt the suggestion of the right hon. Gentleman the Member for Wolverhampton. It must be obvious that what we wish to do is to simplify and cheapen the process of obtaining Private Bill Legislation on Scottish matters. The Secretary of State for War has admitted that the best course to adopt would be to consider the two modes of procedure together. The right hon. Gentleman let slip that expression. If we do not do that—if, before deciding what we are about to do in the matter of Provisional Orders, we proceed to settle our machinery for Private Bill legislation—it seems to me we shall be putting the cart before the horse. The first thing to do is to see how we can simplify the existing system, and then we want to see what we can do in the way of improving the present system of Parliamentary inquiry in regard to Private Bills by investigation on the spot. There is another point of order that suggests itself. You, Sir, have held that the Instruction proposed to be given by my hon. Friend and Colleague the Member for the St. Rollox Division of Glasgow is out of order as contrary to the principle of the Bill, as affirmed on its Second Reading. The First Lord of the Treasury, when speaking of the proposition of the

Government on this matter told us that the principle was local inquiry by a Commission or a Committee. My hon. Friend proposes to give the Committee on the Bill the option of choosing between these bodies. You, Sir, have told us that an Instruction giving that option to the Committee would be contrary to the principle of the Bill; and I should, therefore, like to ask the right hon. Gentleman if he adheres to his statement that the Government are prepared, if not to accept, at all events to consider a suggestion for the substitution of a Joint Committee of this House and the other House of Parliament in lieu of the Commission proposed in the Bill? The right hon. Gentleman, from his description of the principle of the Bill as a local inquiry by a Commission or Committee, appears still to entertain the idea mooted in his correspondence with the right hon. Gentleman the Member for the Stirling Burghs. I wish to ask if it would be competent for the House to give effect to that idea after your ruling, Sir?

*(5.45.) MR. SPEAKER: The Commission will have power to hold local inquiries.

(5.45.) DR. CAMERON: Yes; but I am referring to an alternative proposal that there should be a Joint Committee of the two Houses of Parliament, which was seriously put forward by the First Lord of the Treasury in his correspondence with the right hon. Gentleman the Member for the Stirling Burghs.

*(5.46.) MR. W. H. SMITH: I am anxious that there shall be no mistake in this matter. The correspondence the hon. Member refers to was definite in its character. The body which is to conduct the local inquiry is to consist of two Commissioners and Representatives of the House of Commons and the House of Lords. That is a modification which we undertook to accept in Committee. As to Provisional Orders, the Bill itself includes all Bills for the confirmation of Provisional Orders. The Government have no objection to the principle of the recommendation of the right hon. Gentleman the Member for Wolverhampton; on the contrary, they desire to lessen the cost of, and to simplify the process of, Provisional Orders. But they desire that this Bill shall be passed this Session, and they do not, therefore, want to load it with words that may imperil its passing.

*(5.48.) MR. CAMPBELL-BANNERMAN: I understand that the proposal now is that the Committee shall first examine the Bill before it, and that then it will be open to them to proceed to the simplification, and the modification of the expense, of Provisional Orders. That will satisfy hon. Members on this side of the House, if Mr. Speaker is of opinion that it can be done.

*MR. W. H. SMITH: On that understanding, I consent to the Instruction.

*MR. SPEAKER: The Instruction is "to make provision for" and not "to inquire into." If the House thinks that the distinction is immaterial, I will put the question as it is on the Paper.

MR. H. H. FOWLER: I would suggest that it would be better that the words of the Instruction should be "To inquire into and make provision for."

*(5.50.) MR. W. H. SMITH: It is desirable that the two inquiries should be distinct, because it may happen that when the Committee has considered this Bill, they may desire to have an addition to their numbers from amongst the English and Irish Members, with a view to the consideration of the Provisional Order system as a system.

Question put, as amended,

> "That it be an Instruction to the Select Committee on the Private Bill Procedure (Scotland) Bill, that they have power to inquire into and make provision for the simplification of the procedure and the reduction of the cost of Provisional Orders,"—(*Mr. H. H. Fowler,*)

—and agreed to.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) [ADVANCES, &c.]

Resolutions reported;

1. "That it is expedient to authorise—
    - (a.) the temporary advance out of the Consolidated Fund of the United Kingdom of any sums that may be required for making good any deficiency in the Land Purchase Account for the payment of dividends on guaranteed Land Stock and payments to the Sinking Fund;
    - (b.) an annual Exchequer contribution of £40,000 out of the Consolidated Fund of the United Kingdom to the Guarantee Fund;
    - (c.) the payment out of the Consolidated Fund of the United Kingdom of the salaries of the Land Commissioners."

2. "That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of the salaries, remuneration, and administrative expenses of the Congested Districts Board, in pursuance of any Act of the present Session relating to the Purchase of Land in Ireland, the Land Commission, and the Congested Districts in Ireland."

First Resolution read a second time.

*(5.51.) MR. H. H. FOWLER (Wolverhampton, E.): I beg to move, in line 8, to leave out "the Consolidated Fund of the United Kingdom," and insert "moneys to be provided by Parliament." I wish to explain that I move now, instead of having done so when the Resolution was considered in Committee, because the Resolution was only proposed at the last hour of the autumn Session without sufficient notice. Only one day's previous notice was given that this Resolution would be on the Paper, and although the hon. and learned Member for Longford objected to its being passed, it was taken, as the First Lord of the Treasury said at the time, as a formal procedure. I think, therefore, that we are now entitled to discuss it so far as it introduces—as I think I shall be able to show it does introduce—a serious change in procedure in reference to our administration of public money. The Resolution says—

> "Resolved, That it is expedient to authorise the payment out of the Consolidated Fund of the United Kingdom of the salaries of the Land Commissioners."

I propose to leave out the words "the Consolidated Fund of the United Kingdom," in order to insert the words I have mentioned. This Amendment raises two questions of grave importance; first, the responsibility to Parliament of one of the executive Departments of the Government; and, secondly, the supreme and sole control of the House of Commons over all public expenditure. The three Land Commissioners were constituted by the Land Act of 1881. There is a Judicial Commissioner, and there are two—as I may call them for the purposes of my argument—lay Commissioners. The Judicial Commissioner is to rank as one of the Judges of the Supreme Court, and to hold office on the same tenure and at the same salary; therefore, he is to be paid out of the Consolidated Fund, and is only removable on an address being presented to Her Majesty by both Houses of Parliament. The two lay Commissioners, under the Act of 1881, are paid £3,000 a year each out of moneys to be provided by Parliament. In 1885, under the Ashbourne Act, two additional Commissioners were added to the Land Commission at £2,000 a year for three years only, holding office on the same tenure in all respects as the lay Commissioners under the Act of 1881. At first sight it may seem that there is very little difference between taking the payment of a man's salary out of the Consolidated Fund and taking it out of the moneys to be provided by Parliament, because, practically, the Consolidated Fund is provided by Parliament out of the annual taxation of the year. When we hear the Budget next week, or the week after, we shall find that the Chancellor of the Exchequer will divide his expenditure for the year into three branches. He will tell us what is the charge for the debt, he will tell us what is the charge for the payment out of the Consolidated Fund, and he will tell us what he estimates to be the Supply Services for the year, which will have to be voted in the usual way in Committee of Supply. Payments out of the Consolidated Fund are distinct from the Supply Services. They include the Civil List, certain annuities and pensions and salaries to high Officers of State. All these payments are taken out of the jurisdiction of Parliament. Then, the Consolidated Fund provides for the salaries payable to the Judges. I have no doubt I shall be told, when I am replied to, that the reason for putting the salaries mentioned in the Resolution on the Consolidated Fund is that they are something akin to payments in respect of the Courts of Justice. There are obvious reasons why the Judges should be practically independent of Parliament. This House has never in any sense renounced its control over the Judiciary. I think it a sound Constitutional principle that this House has the right to inquire into the administration of justice in every Court of the land, and it has from time to time exerted that power. But it would not be seemly that the salaries of the Judges should be annually voted in this House and made subject to a certain class of criticism. I think it unfortunate that the County Court Judges have been placed on this footing. It would have been desirable if their salaries had been left to be annually voted by the House, and if that had been done we should not have witnessed the scandals which have been disclosed in a recent Return presented to the House, nearly half the County Court Judges of England being shown to have sat less than 150 days last year. But none of the officials I have mentioned have anything to do with the administration of the funds of the State. The whole of the rest of the Civil Service, including the Diplomatic and Consular Services, have their salaries paid out of moneys to be provided by Parliament. That is, the House has only the right and duty thrown upon it of voting their payment. It is totally irrespective of their appointments. I am not proposing this Amendment with reference to their tenure of office. The tenure of a Civil servant has always been, and I hope will always be, dependent on good behaviour. I do not believe there is a single instance in which the House has interfered, save in the interests of economy. It has never, so to speak, visited its displeasure upon any Department of the Civil Service, or dealt individually with a Civil servant. The gist of the whole arrangement is this, that these officers are responsible to the House of Commons, and the very fact of that knowledge existing, I am sure prevents any misconduct. I will take the House through a certain number of semi-judicial officers of the Civil Service. There are all the Inspectors of the Local Government Board. There are the Lunacy Commissioners, who perform most important judicial functions. Upon their fiat depends incarceration for life, or a certain number of years, of a considerable class of the community. The Vote for the Lunacy Commissioners is submitted annually to the House. Then the Charity Commissioners of England and Wales exercise not only most important administrative, but most important judicial, duties with respect to a large class of property. Yet their decisions are subject to the criticism of the House of Commons on the occasion of the Vote for their salaries. Take the Railway Commissioners. The head of that Commission is a Judge of the Supreme Court whose salary is on the Consolidated Fund, but the salaries of the two lay Commissioners are voted by this House. But there is this difference between the Railway and Land Commissioners. The Lord Chancellor can remove the lay Commissioners for misconduct. There is no provision for the removal of the Land Commissioners. I will come down to Ireland. No doubt the Chief Secretary is aware that the two Irish Judges of Bankruptcy cannot be removed except by an address from both Houses, yet that their salaries are voted by this House. Then there are the Commissioners of Woods and Forests, and the recently appointed Scotch Crofters' Commissioners. Throughout the whole length and breadth of the Civil Service the policy has been, whether right or wrong, that there should be effective Parliamentary control over every part of the Public Service, by placing the salaries of the officials upon the Estimates. This is not only of advantage to the Public Service, but it is of great value to the officials themselves. If they are subject to Parliamentary control, they have also the confidence and approval of Parliament; and they feel a moral strength in the discharge of their duties which they would not otherwise possess. Why does the Chief Secretary propose this change? What mischief has arisen in the administration of Ireland between the year 1881 and the year 1890 from the fact of the salaries of the Land Commissioners being voted precisely as the salaries of other officials are voted? I do not think their duties are of a very judicial character. They adjudicate as between landlord and tenant, but I do not think that adjudication is strictly a judicial decision so much as a calculation made for the purpose of arbitration. Besides, their task is coming to an end. They have disposed of 300,000 tenants, which represents about three-fourths of their work. And under the new Act their duties will be purely administrative, and will consist in advancing money to the Irish tenants to enable them to purchase the estates of their landlords. I cannot conceive a case of stronger necessity for Parliamentary control. Look at the mischief which might be done if you had a Land Commission absolutely irresponsible to the Chief Secretary and the Lord Lieutenant, and put upon the footing of the Judges, who are removable only by an

Address from both Houses. You would have no Parliamentary responsibility; you would at once introduce political influence. Having got men placed there through political influence, they may make ducks and drakes of our money; they may play the fool all round, and this House will have to pay the money, and will have no power to stop the men who are spending our money. There can be no duties which these Commissioners have to perform which can approach the duties performed by Sir Reginald Welby or Sir Algernon West, of the Treasury and Inland Revenue, and whose salaries are voted by Parliament. Perhaps the Chancellor of the Exchequer will explain the reason of this strange suggestion, namely, that the House of Commons is to cease to be the sole and final authority for the control of the expenditure of the State. Remember, when you place a payment on the Consolidated Fund, you have no further control over it, except with the consent of the House of Lords. While that is a right principle with regard to the Judges of the land and certain great Officers of State, these administrators of public money cannot for a moment be placed on the same footing. I move this Amendment on the ground of policy, on the ground of precedent, and on the ground of principle. It is an unwise policy to remove a Department which is going to have the control of £40,000,000 or £50,000,000 from the control of the House of Commons. I trust the House will not make any change in our constitutional procedure, for which no justification has been offered, which would involve a great many mischiefs in the future, and which I think is a source of danger to the administration of the Land Law of Ireland and destructive of the control of this House over the expenditure of the country.

Amendment proposed, in line 8, to leave out the words "the Consolidated Fund of the United Kingdom," and insert the words "moneys to be provided by Parliament,"—(*Mr. Henry H. Fowler,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Resolution."

(6.15.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The right hon. Gentleman the Member for Wolverhampton has raised with great clearness and ability a point which the House will have to determine with regard to the salaries of the principal officers connected with the Land Commission in Ireland. With the general principle which the right hon. Gentleman has laid down, that the Civil servants should be responsible, not merely to Parliamentary control, to the control of the House of Commons, but that that responsibility should be brought home to them by the fact that their salaries were annually voted, I need not say I do not quarrel at all. The Government do not differ from the right hon. Gentleman upon any question of general principle which appears to regulate the Civil Service, but we hold that these Land Commissioners ought to be regarded as belonging to the more limited category of public officials whose salaries are placed on the Consolidated Fund. Whether that is so or not is the plain issue before the House. The Government have deliberately adopted the view that the salaries of these officials ought not to be voted by Parliament, but ought to be placed, as the salaries of other Judges are, upon the Consolidated Fund. It will be agreed that there is justification for withdrawing from the arena of Party conflict in this House the salaries of those who are called upon to exercise anything in the nature of judicial functions, so that they may exercise them independently without any fear of pecuniary loss. The right hon. Gentleman says he does not propose to interfere with the tenure of the office. The tenure of an office may be made as absolute as you will, but if the salary has to be voted by the House of Commons it would be futile to describe the tenure as permanent. No office can be described as permanent if the salary attached to it depends upon an annual Vote. It is true there are two Judges in Ireland who hold office by a permanent tenure, and whose salaries are, nevertheless, voted by the House of Commons. Those are the two bankruptcy Judges. But this position is anomalous and unjustiable, and if the question should be raised whether they ought not to be placed in the same position as other Judges, there is no general principle on which the existing irrational exception can be defended. If those bankruptcy Judges chose to claim that their salaries should be placed on the Consolidated Fund it would be impossible to resist that claim. The principle being accepted that the salaries of Judges should be placed upon the Consolidated Fund, because if they have to be annually voted by this House the Judges would be brought under the control of a majority necessarily swayed by Party and political motives — the question arises whether the principle is applicable to the particular cases of these Commissioners. I maintain that it is applicable to a degree to which it is not in the cases of some other judicial functionaries. Of course, when the arrangement was made that judicial salaries should be withdrawn from the discretion of Parliament, it was intended that the Judges should be made independent of Court and other influence, and that object is fully attained. But are not the questions which these Commissioners would have to determine the very questions which divide parties and classes in Ireland, and about which controversies have raged? Of all functionaries, are not these Commissioners officials who ought to be protected from the pressure of Party majorities and Party leaders? We have only to look back to the discussions that have taken place upon the Estimates for this Commission, to see the kind of pressure that Members of the House have tried to exert. The Commission has been denounced as having served the interests of the landlords or of the tenants in the decisions they have given, and such denunciations are sure to be heard in the future. In that way pressure would be placed upon these officials by those who represented the majority of occupiers. The right hon. Gentleman appears to be under the impression that the business of the Land Commission is nearly over, but he forgets that rents are fixed for no longer than 15 years, and that on the expiration of that time tenants may come to the Court again. Further, a promise to lower the rents has been habitually held out by Nationalist politicians as a reason for returning them to power. The facts furnish as strong an argument as ever was urged in the 17th century for making English Judges independent of the chance of a Parliamentary majority and the storm and stress of Party discussion. The duties these Commissioners have to perform are judicial duties in the most important sense of the term. They have to decide questions of property affecting every man in Ireland—whether masses of property shall or shall not be transferred from one class to another; they have to decide between landlord and tenant, and it is idle to say that, if these men are made the slaves of the Government of the day—if you place them under the control of the House, as Sir Reginald Welby was under the control of the Chancellor of the Exchequer—their position could command, as it ought to command, the respect of any class in Ireland. In that case they would always be regarded as the slaves of the Party in office, as the tools of the Executive, and either tenants or landlords, owners or occupiers, would have a sense of injustice and grievance. Parliament has passed an Act unparalleled, perhaps, in any country in the world, which handed over to half a dozen men the control of all the landed property of the country, and it ought not to refuse to those men the independence which would enable them to discharge their trust to the best of their judgment, with perfect safety to their own position. For these reasons I hope the House will see that the question of tenure is one of vital importance, and will support the Government in making that tenure independent of the action of the House.

Mr. A. J. Balfour

(6.23.) MR. R. T. REID (Dumfries, &c.): I have listened with a good deal of interest to the remarks of the right hon. Gentleman, who has founded his opposition to the Amendment on his desire to free the Land Commissioners from Government or Parliamentary control, and I must say that I am at a loss to imagine how, after what he has said, he will be able to defend the positions of the removable Magistrates of Ireland, who are not merely judicial officers, but who are also executive officers, in strict subordination to himself. My object in rising, however, is to offer a few words with regard to another part of the right hon. Gentleman's observations. He has compared the control of the House at the present time to the control exercised by the Crown in the 17th Century, and pointed out that as the Judges were removed at that time from the influence of the Crown, it would be a matter of public benefit that these officers should be removed from the influence of the House of Commons in the present century on similar grounds. The fact is that the proposal to place the salaries of these Commissioners on the Consolidated Fund is not a proposal to remove them from the control of Parliament; but rather to remove them from the control of the House of Commons, while leaving them to the control of the House of Lords. When the right hon. Gentleman says he desires the removal of the Commissioners from the hostile criticism of this House because of the judicial duties they have to discharge, I would point out that they do not discharge what can fairly be termed judicial duties. The duties they discharge are, on the contrary, administrative or executive duties relating to the application of enormous sums of money. Those duties the right hon. Gentleman desires to place outside the control of this House, but, in my opinion, we ought to have some means of watching over them, so that we may see how those gentlemen dispose of the funds placed under their control. For my part, I am in thorough agreement with the right hon. Gentleman who has moved the Amendment to the Resolution and I will go even a step further. I hold that none except the very highest Officers of the State ought to be relieved of the liability of having their salaries annually reviewed by this House. The County Court Judges derive their salaries from the Consolidated Fund, but they are in a different position from the Land Commissioners, because they are removable by the Lord Chancellor. The Superior Judges are also paid from the Consolidated Fund, but they discharge duties of a totally different character to those of the Land Commissioners. I shall give my vote most heartily to the Amendment of the right hon. Gentleman the Member for Wolverhampton, because it seems to me that the real vice of the Government proposal lies somewhat deeper than the issue raised by the Chief Secretary. It consists in this: that the object of the Government in this Bill is to set up a financial scheme which is to permit the expenditure during a period of from 20 to 30 years of a sum amounting to something like 30,000,000 of money, and it is proposed that the expenditure of this vast sum is to be made outside the control of the House of Commons. The proposal to place the salaries of these Commissioners beyond the control of this House is, I think, contrary to the practice of the Constitution. Indeed, I think that nothing could be more contrary to the practice of the Constitution than the object with which this proposal is made, namely, to enable Her Majesty's Government to deprive this House for some 20 years or more of any control over the growing annual and constant expenditure of an enormous amount of national money.

(6.28.) Mr. T. M. HEALY (Longford, N.): The right hon. Gentleman in the speech he has just delivered has stated that it was very desirable that the Land Commissioners should not be treated in the same way as Civil servants, but I would ask is it not the fact that there is a proverbial stinginess on the part of the Treasury in proposing first to put the salaries of these gentlemen on the Consolidated Fund, and then in taking precautions in the matter of their pensions that they are to be placed on the footing of Civil servants? When a Judge, whose period of service has only lasted for half an hour, becomes incapacitated for the performance of his duties, whether by ill-health or by any other cause, he is entitled to a pension; but a Civil servant is bound to serve a period of 10 years before he can have the right to any pension at all. We contend that it is inconsistent to raise these gentlemen beyond the position of Civil servants, but at the same time to say that they shall be put upon that footing in regard to the payment of their pensions. That is the first observation I have to make on this matter. I now come to my second point. There are two Bills before the House: one is a Land Department Bill and the other a Land Commission Bill. This Resolution deals, as I take it, with the Land Commission. What is the Land Commission? Are we to have a Land Commission and a Land Department? The

House has been led into a position of embarrassment because, first of all, there is to be a Ways and Means Resolution for the payment out of the Consolidated Fund of the United Kingdom of the salaries of the Land Commissioners, who, as I understand, will be three—Mr. M'Carthy, Mr. Lynch, and the Judicial Commissioner, Mr. Justice Bewley; and secondly, we are to have a Bill to deal with Mr. Wrench, Mr. Fitzgerald, and the whole number of Sub-Commissioners. It is most inconvenient to treat these two Bodies in two Bills, one of which may not come on this Session at all.

Mr. A. J. BALFOUR: The intention, and I believe the effect, of Section 10 of the Bill now before the House is to make permanent the judicial tenure of the lay Commissioners.

Mr. T. M. HEALY: I looked into that point before I rose, and—I speak with great submission—I arrived at the contrary conclusion. There is no section in the first Bill defining what a Land Commissioner is, and in the second Bill you say there shall be constituted a Land Department for Ireland consisting, in the first instance, of these Land Commissioners, one or more of whom shall be styled Judicial Land Commissioners. In the first Resolution you provide for the salaries of the Land Commissioners, and that means the Land Purchase Commissioners; and by the second Resolution, which may never be reached, you deal with the Land Department. It is clear I am right, because you deal twice over in two separate Resolutions with the Land Commissioners. Why do you do it? The contention of the Chief Secretary amounts to an absurdity. I think I have established my proposition that you have no very great desire to proceed with the Land Department Bill this Session. I presume you intend to use it next year as an excuse for not giving us local government; you will accept the *dictum* of the Member for West Birmingham that you must deal with the land before local government. It must be remembered that we have been sitting here since November, and that the idea is that we are to rise in May or June—I do not know exactly which month it is. Last year on the Land Commission Bill, and this Session in the Debate on the Second Reading of this Bill, I raised the very question now under consideration. The matter is much more serious than the Chief Secretary imagines. The right hon. Gentleman referred to the case of the Bankrupcty Judges in Ireland. Ever since the Bankruptcy Acts were passed these Judges have been quite comfortable, drawing their salaries through the annual Estimates. The Bankruptcy Judges are not Judges of the Superior Court, neither are the Land Commissioners. What is the first requisite of a Judge of the Superior Court? He must have at least 10 years' experience at the Bar. Mr. Lynch is a layman and Mr. M'Carthy is a solicitor. Am I to be told that such gentlemen are to be elevated to the rank of Judges? There are two Bankruptcy Judges. They must be persons—I was going to say in modern phraseology "of whose legal knowledge the Lord Lieutenant is satisfied." They must be gentlemen of standing at the Bar: men who require to have 10 years' experience at the Bar are placed on the ordinary Estimates of the year, while laymen, forsooth, are to be raised to the position of Judges of the Superior Court, and their salaries placed on the Consolidated Fund. There is another and still stronger argument. We have not only the precedent of the Bankruptcy Judges, but we have the precedent of the Land Commission. The Land Commission has been 10 years in existence. I should like to have heard the right hon. Gentleman the Member for Mid Lothian with the howling wolves—but the expression is consecrated—with the tumultuous Tories facing him, propose that the salaries of the Commissioners who were to cut down the rents of the Tory landlords should be placed on the Consolidated Fund. What did the present First Lord of the Treasury (Mr. W. H. Smith) do? So jealous were the Tory Party of the new departure that the present First Lord of the Treasury proposed at that time that the Lord Lieutenant should issue a Royal Commission at the end of seven years to wind up the whole affair. The right hon. Gentleman the Member for Mid Lothian was on the point of accepting that proposition, when I intervened. It is now proposed, when the burden and the heat of the Commissioners' labours are over, and when, instead of fixing rents, which may be supposed—though I could never understand it—to be a judicial function, when they will only have to ladle out the sovereigns after an agreement arrived at between landlord and tenant, to place them on the Consolidated Fund. I have here some mouldy records, which I made at the time, of the way in which the Marquess of Salisbury spoke of the Land Commissioners. He called Mr. John George M'Carthy—one of the very gentlemen who is now to be placed on the Consolidated Fund—one of the fiercest of the Sub-Commissioners. That shows the jealousy with which those appointments were at that time regarded, when they were made for the cutting down of rents. How much more cause now exists for jealousy, when it is intended, so to speak, to give the landlords permanent annuities. Sub-Commissioner Meek was described by Lord Salisbury as one of the most violent persecutors of the landlords. I understand that the gentleman, having turned Liberal Unionist, has since then got a little job from Her Majesty's Government. Nor can we forget the name by which the right hon. Gentleman the Member for Thanet (Mr. J. Lowther) dubbed the Sub-Commissioners—"sub-confiscators." I have myself heard denunciations in the House of Lords of these appointments by Peers like the Earl of Donoughmore, the Marquess of Lansdowne, the Earl of Kilmorey, Earl Cairns, and the Marquess of Waterford, but I will not trouble the House by repeating them. Why take from this House the power of reviewing these appointments, and of reviewing the way in which the holders of them act, while allowing it to remain in the Chamber across the Lobby? The Land Act had not been in operation six months when Lord Salisbury, in another place, moved for a Committee to inquire into the character of the Commissioners and into their conduct; but if this proposal were adopted, and a Liberal Administration came into Office in the morning, we should be powerless. This is a matter vital to the case of the tenants. If Parliament puts the salaries of these Commissioners on the Consolidated Fund it will destroy the only means at the disposition of the Representatives of the people of keeping that jealous eye upon them which is absolutely essential, while the House of Lords, the permanent landlord barracks, will be left with the amplest opportunities for criticism. You never dreamt of making this proposal until you had rigged the Land Commission with Tory appointments. You wish to have the benefit of two systems—removables and irremovables. The removables, of course, you only require while you are in Office, and you know they will be dismissed when your successors come into power. But long after you have passed away—which we trust will be soon—this £30,000,000 sterling will have to be spent, and you are taking care that the gentlemen who are to spend it shall have Office for the time of their natural lives. I do not object to the sum you propose to spend—the larger the merrier. But I object to giving such a large amount to spend, and at the same time withdrawing the spendees of the money from all Parliamentary control — a control which the House of Commons enjoyed when only £5,000,000 were involved. I therefore say that this is exactly the Bill in which this course ought not to have been taken. £30,000,000 is a very large sum to spend, and at least the salaries of its administrators ought to remain upon the annual Public Estimates. Throughout my remarks I have not referred to the question of the fixing of fair rents, because I assume that that will be brought up under the second Resolution; but I wish to ask the Government whether they propose by their construction that the words "Land Commissioner" should include Sub-Commissioner?

Mr. A. J. BALFOUR: No.

Mr. T. M. HEALY: The right hon. Gentleman says "No." Well, I have not the Land Act of 1881 just now in my hands, but I venture to say that it will entirely depend on the construction of the Act whether it is so or not. The Treasury Clerks who have to administer this matter may take an entirely different view of the law, and that is another reason why this House should not allow any loophole capable of inducing action contrary to the received intention and purpose of Parliament. I trust that the Government will even yet allow wisdom and prudence to prevail. This is a Resolution which requires to pass through two stages, as the right hon. Gentleman the Member for Wolverhampton pointed out when it came on on the 9th December last. I objected, but as at that moment our minds were burthened with other considerations we did not care to fight the matter to any considerable extent. The Government, therefore, got the stage without discussion, and I do think they should have been now prepared to meet us in a conciliatory spirit. On the grounds I have stated I shall give to the Resolution the strongest opposition possible, and I beseech the Government if they wish to give confidence to the Irish tenant farmers, who will be so largely interested in this matter, to allow at least free Parliamentary discussion on the question of the salaries to be paid to the Commissioners.

*(7.4.) MR. T. W. RUSSELL (Tyrone, S.): It is not often that I find myself in entire agreement with the hon. Member for North Longford, but in this matter I hold exactly the same opinion as he does. What is the position the House is in tonight? The question is: Are these Commissioners to be independent not only of landlords and tenants, but also of Parliament; or are they to be subject to the control of the House of Commons? The Chief Secretary has stated clearly that they not only perform judicial functions, but that the functions entrusted to them are vastly more important than most of the judicial functions that are performed in Ireland. That is practically his contention, and I should agree with the Chief Secretary in the contention that the salaries of the Commissioners should be removed from the control and criticism of Parliament if the Commissioners were of the same stamp as the Judges of the Supreme Court, and if they were men of the same standing and position. But what is the proposal in reality? It is simply to put men like Mr. M'Carthy, Mr. Wrench, and Mr. Fitzgerald in the position of Judges of the Supreme Court. I hope, however, the Government will not persist in any determination of that kind. In one sense it is almost ridiculous to make such a proposal to Parliament; and if the matter goes to a Division, the Government will find that there are many hon. Members who do not so entirely approve of the Land Commission as to let go altogether the small control the House now has over it. The question is one which does not need much speaking, and I think the Government would be well advised to let well alone, and to continue in these matters on the same lines on which they have proceeded for the last 10 years. I am perfectly certain that, if such a proposal had been brought forward in 1881, the present Chief Secretary would have been one of the strongest opponents of it. In the circumstances, I shall vote for the Amendment of the right hon. Gentleman the Member for Wolverhampton, and I trust that the Government will refrain at the last moment from persisting in a policy which will certainly be resented in Ulster and in every other part of Ireland, and which cannot possibly bring them any credit.

(7.9.) MR. J. MORLEY (Newcastle-upon-Tyne): There was one part of the speech of the Chief Secretary to which I listened with amazement—that in which he implied that attacks were constantly being made in this House during the discussion of the Estimates upon the action of the Land Commissioners. Now, so far as I know, no such attacks are made. During the eight years I have been in the House—and I have been as assiduous an attendant as the right hon. Gentleman himself when the Irish Estimates have been on—I have found that the Land Commissioners have been extraordinarily exempt from attacks of this kind, and, therefore, the assertion of the right hon. Gentleman is entirely erroneous. I do not admit the existence of the mischiefs to which the right hon. Gentleman referred. I agree with the hon. Member for South Tyrone that this is not a question that requires a long Debate, for the right hon. Member for Wolverhampton has placed his Amendment before the House with such lucidity that no hon. Member can possibly mistake the principle on which we are going to vote. It is impossible to doubt that if this proposal is assented to, a very mischievous blow will be struck at one of the soundest political principles that have hitherto guided Parliament. The Chief Secretary said it was important that the Land Commissioners should be removed from being supposed to be actuated by fear of pecuniary loss, and also from the operation of political motives. But does not a similar argument apply to gentlemen like the Secretary to the Treasury and the Chairman of the Inland Revenue Board? The Chief Secretary has actually strengthened the case made out by my right hon. Friend the Member for Wolverhampton. It seems to me that there are two principles upon which this proposition ought to be resisted. The first is, that legal and judicial duties should only be intrusted to judicial persons. As the Member for North Longford has pointed out, you are going to trust these particular duties to laymen, for I believe every Member of the Commission, excepting Mr. Fitzgerald, is a layman. Mr. M'Carthy is a solicitor, but not a barrister. The second reason for resisting is, that we have already in the Judges of the Exchequer and Queen's Bench Divisions an ample force for discharging all the duties that are necessary. I do not know whether any communication has been made to the right hon. Gentleman by the Judges, but, at all events, it is notorious that the Judges of the higher Courts have expressed their readiness to undertake the judicial duties in connection with the Land Department. On those grounds, and also because the proposal is an unconstitutional one, I hope that considerable support will be given to the Amendment, for it cannot be denied, after the remarks made by the hon. Member for South Tyrone, that the Government are again going to do what they have often done before in Irish legislation—force proposals upon their own supporters against the judgment of all shades of opinion in Ireland.

(7.14.) MR. LABOUCHERE (Northampton): I am surprised at the sanguine character of the right hon. Gentleman in supposing that by talking of principle he will induce anyone on the other side of the House to vote with him. It is not a question of principle, so far as regards the majority of this House; it is simply carrying out a plan which the Government have conceived. They know perfectly well that they will be defeated at the next General Election, and their main object at present is to bridle what they are pleased to call the democracy. In the other branch of the Legislature the Tory Party have a permanent majority, and, therefore, they are anxious to place matters in such a position that nothing which they do now can be undone, because they will be able to prevent it in the other House. Take, for instance, their Naval Defence policy. We shall be obliged—unless we obtain the consent of the House of Lords, and that we cannot hope for—to continue that policy, although the majority of the people object to paying the money. The Government have put their own henchmen into the Land Commission, and they are now endeavouring to safeguard these gentlemen from the possibility of disturbance by the Liberal Party when that Party obtain a majority. If we want to review their conduct, and perhaps to refuse their salaries, we shall be unable to do so. The object of the Chief Secretary is to take this power out of the hands of the majority. I am one of those who think that a majority should be paramount in the country, yet this you are preventing. Hon. Gentlemen opposite not only want to give effect to their votes now, but they desire to prevent us giving effect to our votes which in the future we have a chance of giving.

(7.17.) MR. KNOX (Cavan, W.): I rise for the purpose of giving right hon. Gentlemen on the Front Government Bench an opportunity of being courteous to the House. On this point, which is one of enormous importance to the future of the land system in Ireland, there has been unusual agreement against the proposal of the Government amongst persons who are not usually agreed in opposing Ministerial measures, and yet it has come to this: that no one on the Ministerial Benches rises to answer or deigns to notice even the hon. Member for South Tyrone. That hon. Member has visited the constituency of nearly every hon. Gentleman opposite, and yet they all treat him with contempt. Surely the hon. Member, if he is a humble and modest man, will some day, like the worm, turn—unless, indeed, the hon. Member told the Government beforehand not to mind what he said, as his words were only intended for his constituents—that he was addressing the Gallery and not the House; but if the hon. Member is serious, he must resent the insult offered to him in the silence of Her Majesty's Government. The result of the proposal will be to fix on the Land Commission permanently men who are bitterly hostile to the Irish tenants. Every single member of the Land Commission appointed by the present Government is bitterly opposed to the tenants. Mr. Wrench and Mr. Fitzgerald are both landlords' men, and so, too, is Justice Bewley. So strong a landlord's man is the last-named that when an hon. Friend of mine was appointed a joint arbitrator on a Plan of Campaign estate, and he offered the names of 12 gentlemen (one of them an hon. Member opposite) from whom the umpire should be selected, the landlord rejected them all, and would only put forward Justice Bewley. And this is the sort of man it is proposed to fix permanently in office, without the possibility of removal except with the concurrence of the House of Lords. Hon. Members opposite know how constantly the farmers of the North protest against the constitution of the Land Commission. Only the other day the Newtownards Board of Guardians recorded such a protest. But how is it that the Sub-Commissioners, by whom the real work is done, are not to be made permanent at the same time? Surely, if the Sub-Commissioners are to remain under the control of the House of Commons, the head Commissioners, whose work is mainly departmental, ought also to be under the same control. The fact is, the Chief Secretary, who thinks he may condemn the Irish farmer with impunity, wishes to deceive the British taxpayer. He does not tell him that these Land Commissioners will control the expenditure of £30,000,000. Now, there can be no closer parallel to the Land Commission than the Railway Commission, and yet the salaries of the Railway Commissioners are voted by Parliament year after year, and the Government do not propose to make any change in this system. The Government's proposal amounts to an endowment of Mr. Wrench, the evil genius who advises the Government on their land policy in Ireland. We know that Mr. Wrench has earned the hatred of the farmers in both the North and South of Ireland, and I believe that if the Government persist in this proposal they will have to pay the penalty by losing several seats in the North of Ireland at the next election.

*(7.27.) Mr. T. LEA (Londonderry, S.): The hon. Member for North Longford said that a constituent of mine who was appointed a Sub-Commissioner by the right hon. Gentleman the Member for Mid Lothian had been re-appointed by the present Government. I wish to state that is not the case. With regard to the Main Question, I should also like to add my opinion that the Government are making a mistake in this matter. Their proposal sets a very bad precedent, for which there is no occasion; and I hope that they will withdraw from the position which they have taken up.

(7.28.) Mr. J. STUART (Shoreditch, Hoxton): I think it is evident from the attitude of the Government that they are determined to impress their Irish policy on the future of this country, after the country has determined to be done with their Irish policy. They are carrying out exactly the same policy as they adopted in regard to the Navy, and also in respect of their Coercion Act, which they made permanent. They are, in fact, hopeless of their Irish policy being permanently approved by the country, and are endeavouring to make it permanent in spite of what the country may do.

(7.30.) Mr. SINCLAIR (Falkirk, &c.): I do not agree with the hon. Member who has just spoken, in the opinion that the country is opposed to the tenour of the Irish policy of the Government, but I must say that I think this proposal is a mistake. As I understand the proposal, it is to make the salaries of the Judges payable from the Consolidated Fund. It has lately been my good fortune to see a great number of people from the North of Ireland, and as an old North of Ireland Member I take a great interest in this subject, and I may say I have not met one person who agrees in the proposal that the salaries of the Commissioners should be removed from the control of Parliament. Throughout the length and breadth of Ireland, so far as I know, the impression is strong that Parliament should retain this control, and that being my own view I am prepared to support the Amendment moved by the right hon. Gentleman the Member for Wolverhampton.

(7.31.) Mr. MACARTNEY (Antrim, S.): I also have just returned from the North of Ireland, and have been in my own Division, and I must say that I have not met anybody who has expressed himself in accordance with the view the hon. Member has just expressed. My impression is that the farmers in the North of Ireland—I do not speak for others—are anxious that the Commissioners should be removed from criticism as much as possible. ["Hear, hear!"] Yes, from that sort of criticism that would induce them to alter their action one way or the other. Though some hon. Gentlemen think this a laughable matter, I am perfectly certain that if they were conversant with these views in the North of Ireland they would agree with me that if there is one thing which is deprecated by the farmers in the North of Ireland, tenants and everybody else interested in the work of the Land Commission, it is that criticism in this or the other House should be supposed to have any effect on Commissioners small or great. I am bound to say I have never yet heard, and I have heard the Bill discussed in three or four counties in conversation by both Conservatives and Radicals—I have never yet heard those objections raised against the Government proposal which have been urged to-night. I hope sincerely that the Government will stick to the course they have proposed.

(7.35.) The House divided:—Ayes 180; Noes 142.—(Div. List, No. 121.)

(7.48.) MR. T. M. HEALY: In order to make the matter clear, and that arguments may not be repeated on duplicate Resolutions moved from the Treasury Bench, I move to insert in Clause "C" of the Resolution after "land," the word "purchase." That will confine the Resolution to the Land Purchase Commissioners. The Government contend that their second Resolution has a meaning distinct and separate from the first one. The Chief Secretary gave me an answer a while ago, and I do not say for a moment that answer was not correct, but if it be so then the second Resolution must be inaccurate, they cannot both be correct. The second Resolution is to authorise the payment of salaries and allowances to Commissioners of the Land Department. Now is the House going to vote these two things?—

MR. E. ROBERTSON: I rise to order, Sir. It is perfectly impossible for us to know what the hon. and learned Member is talking about, for we have not a copy of the Resolutions before us. My point of order is, ought we not to have the Resolutions on the Order Paper of the Day?

MR. T. M. HEALY: I may say that I have had to go back to the Votes for December 9 to find the Resolutions.

*MR. SPEAKER: The Resolutions have been printed according to the usual practice.

MR. T. M. HEALY: It is necessary to go back to our record of proceedings on December 9 to understand these Resolutions, such is the charming arrangement of our proceedings. In the second Resolution, which is not on the Paper of to-day, and which has not yet gone through Committee, it is proposed to ask the House to vote a second time salaries for the Land Department, having already voted a sum for the purpose under the Resolution now before us. Now, if the Chief Secretary is correct in the answer he has given me, he is asking the House to stultify itself, for, according to the right hon. Gentleman, we have provided for the salaries of the whole of the Land Commissioners, and yet we are to be asked by Order No. 4 to vote them a second time. I ask the House to consider the absurdity of the position. I declare it is inexpedient and absurd. Having some knowledge of the way in which officers of the Treasury draft Resolutions, I have come to be not unnaturally suspicious of the practices of the Treasury when they are trying to get money Resolutions through the House. It cannot be contended that I am not right on this point, that you are twice providing for the salaries of the Commissioners. That is not denied. What then underlies the second Resolution? I call the attention of the House to the drafting of the Resolution. First you provide under this article now under consideration, payment of the salaries of the Commissioners out of the Consolidated Fund. Are there to be pensions for the Commissioners to come out of some other fund? Are the salaries to come out of the Consolidated Fund and pensions to appear on the Estimates year by year? Mark the distinction of language in the two Resolutions. The first Resolution in no way deals with pensions, in no way deals with allowances, it makes no provision except for salaries, but your second Resolution covers both heads. Why is this? I propose to move an Amendment which will introduce a definite meaning, though, perhaps, it may not be technically correct, for I have had to do it hurriedly. Land Purchase Commissioners may not be the statutory language, but we may make it clear in the language of the Bill. I move that the Resolution shall deal only with the the Land Purchase Commissioners, and my object is plain. I wish afterwards to shut out from this Resolution all questions affecting the Land Commission proper. Observe that in the original drafting of the Act of 1885 a clause provided that those gentlemen who were Land Commissioners and Land Purchase Commissioners were to be one and the same thing, but we took exception to that, for we had not that confidence then and still less have we confidence now in the appointments made by the Government, and we moved an Amendment to Section 15 of the Act of 1885 to the effect that the additional members of the Land Commission appointed under the Act should specially attend to the business imposed on the Commission by that Act. Accordingly we had specialised Land Commissioners *quoad* purchase, Mr. J. G. M'Carthy and Mr. Stanislaus Lynch dealing with the purchase of land. Then in 1887 you appointed a Judicial Commissioner and gave him special powers in regard to the Act, so now you have two lay Commissioners and Mr. Justice Bewley, and you propose to consolidate the five into a Land Department. Now you proceed to provide in this piecemeal manner for the Commissioners of the Land Department, but there is no such thing in existence yet as a Land Department. Why, if the contention of the Chief Secretary is correct, is there any need for any money Resolution dealing with the Land Department? Mr. Justice Monroe is to be a member, and he is already provided for. Mr. Justice Bewley is provided for out of the Consolidated Fund; Mr. Fitzgerald and Mr. Wrench are provided for. What, then, is the meaning of your two Resolutions?

*THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): For the additional salaries under the second Bill.

MR. T. M. HEALY: You are proceeding according to this strange Parliamentary method with two Resolutions relating to the salaries of the Land Commissioners. One relates to their salaries of £2,500 as members of the Court for fixing fair rent; the other to the salaries to be given to them of £500 in respect of their duties as members of the Land Department, which the Government propose to constitute. The Land Department Bill, however, may not pass. It cannot be pretended that I, taking only a critical interest in this matter, have given that study to it that the draftsman of these Resolutions has; but it is not at all unreasonable that we should ask for more light on this second Resolution, and why it is that we have these two stages on each, and four discussions in the House of Commons. It comes to this, that according to the law and logic of the right hon. Gentleman we shall be in order in discussing the whole thing over again on the second Resolution, as if we had never had the matter before us before. I do not think that is a procedure a great Department like the Treasury should adopt. We pressed a moment or two ago for an answer to the question put forward by the hon. Member for South Tyrone and we have not had an answer. I presume the Chancellor of the Exchequer is ashamed of the entire transaction, and certainly a more clumsy and slovenly way of transacting financial business I have never heard of. We shall certainly have the Debate all over again, because this business is not conducted in a workmanlike way, and the thing is left in a most unsatisfactory state. The right hon. Gentleman will have an opportunity of speaking again on my Amendment, which I hope the House will accept. I have not had the opportunity of referring to the Act of 1881; but I should not be surprised if it should turn out that the Treasury so construe it that the case of the Sub-Commissioners is met by the Resolution. The construction to be put on this Resolution it will be for the Treasury to determine, and I hold that we should not leave the matter in the loose way in which it stands at present.

Amendment proposed, in line 9, after the word "land," to insert the word "purchase."—(*Mr. T. M. Healy.*)

Question proposed, "That the word 'purchase' be there inserted."

(8.1.) Mr. A. J. BALFOUR: I think I can clear up the difficulty in the mind of the hon. and learned Gentleman. I agree with the hon. Member that the procedure is a cumbrous one, but it is necessary according to the Rules of the House.

Mr. T. M. HEALY: That is not the point I made at all.

Mr. A. J. BALFOUR: I appreciate the hon. Member's point. In Clause 10 of the first Bill certain money is thrown on the Consolidated Fund, but this cannot be done without a Resolution of the House. Accordingly, we proposed a Resolution. In Bill No. 2 we also deal with salaries by throwing them on the Consolidated Fund; therefore, we have to pass another Resolution. It is not our fault, but that of the Rules of the House. It would be contrary to the Rules and Regulations of the House to have one set of Resolutions for two Bills.

Mr. T. M. HEALY: What is the second Resolution for?

Mr. A. J. BALFOUR: Each of the Bills deals with the salaries of the Land Commissioners, though in different ways, and therefore two Resolutions are required, one for each Bill. To have obviated this it would have been necessary to alter the whole structure of the measure. But this matter of the Resolutions is a mere matter of procedure. The Resolutions are necessary in order to found the Bills upon them, but the Bills alone are operative.

Mr. T. M. HEALY: If this second Resolution is not passed, what will be the position of these gentlemen in regard to their salaries?

Mr. A. J. BALFOUR: They will have the same salaries that they receive now. Bill No. 2 is to equalise the salaries, and the hon. Member will see that if we are to carry out the policy of the Bill we have no choice but to do what we are doing. The hon. Member need have no fear of the action of the Treasury Clerks, because what will bind the Treasury will not be the Resolution but the Bill, and the Bill only.

(8.6.) Mr. T. M. HEALY: As there are two Bills which deal with finance, the two Resolutions are necessary, but what the right hon. Gentleman has not explained is, why Clause 10, which makes the Resolution necessary, should have been introduced at all. The right hon. Gentleman has only got out of one absurdity by getting into another. He says two Resolutions are necessary, because there are two Bills before the House, each of which deals with the salaries of the Land Commissioners in a different way. Is that not in itself absurd? Why should we have two proposals? I say the proper place for Clause 10 of this Bill is in the second measure. If we are to have proposals regulating the salaries and tenure of office of the Land Purchase Commissioners, the proper place for them is in the Bill dealing with the Land Purchase Department, and we should have some explanation of the extraordinary anomaly presented by this Resolution.

(8.9.) Mr. KNOX: I beg to support the Amendment more on the merits than on the technical point. I object to the Resolution, because it endows Mr. Wrench. The Opposition during last Session spent a considerable amount of time in preventing the passage through the House of a measure which was described as the Publicans' Endowment Bill. Well, I venture to say that if the opinions of the Irish people had been taken by *plébiscite* it would have been found that for every one opposed to the endowment of the publicans there would have been 10 opposed to the endowment of Mr. Wrench. Go where you will amongst the farmers of Ireland you will find the name of Mr. Wrench the name to conjure with if you want to defame the present Government, and why should the Government, when they are as we hope nearing the end of their tenure of Office, propose to leave Mr. Wrench as a permanent legacy to their successors? The object of the Amendment is to impose a check on the constitution of the Land Commission. The Bill is supposed to be a Land Purchase Bill. The Government have brought into it a provision that has nothing to do with Land Purchase, but which only concerns the fair rent portion of the Land Commission. We object to that; and hold that it is irrelevant to the Bill, and altogether unjustifiable. I am told that Mr. Wrench was frequently consulted in the preparation of this Bill, and it seems to me that in Clause 10 we have strong internal evidence of the fact, for we find that Mr. Wrench has provided for the permanent endowment of himself out of the Consolidated Fund. In every other part of the Bill we find that the Land Commissioners referred to are those acting under the Act of 1885, that is to say Mr. Lynch and Mr. M'Carthy; but when we come to this 10th section we find that, though this is a Land Purchase Bill solely, there are others who are to have a finger in the pie. The object of the Government is not so much to endow Mr. Lynch and Mr. M'Carthy—and we know they do not love them too well—but, loving their own creation, they desire to endow Mr. Wrench, Mr. Fitzgerald, and Mr. Justice Bewley—creatures after the Chief Secretary's own heart, whom the Irish farmers abhor. These men, friends of the landlord party, are to be established for the term of their natural lives as Land Commissioners for the fixing of fair rents. They are to be made irremovable unless a landlord House of Lords agrees in demanding their removal. I ask, could there be any worse system imagined? In a short time the work of fixing fair rents will begin—the 15 years for which they have been fixed will have expired—and such men as Mr. Wrench, Mr. Fitzgerald, and Mr. Justice Bewley will be called upon to discharge the functions of the men whose qualifications were thoroughly canvassed in 1881, when the Land Act was passed. Though it may be unusual to fight the merits of the question upon a money Resolution, yet where the Government are trying to carry out so iniquitous a proposal as this before the House, it is the duty of the Representatives of Irish tenant farmers to fight them line by line and word by word. I strongly support the Amendment, because I think that in connection with the Land Purchase Bill we should deal solely with land purchase, and that men who have nothing to do with land purchase should not be endowed, as it were, by a side

wind. The proposal of the Government is a huge landlord job, and we, therefore, intend to look ahead. I would suggest to the Chief Secretary that he should drop the Land Department Bill, which will be fought line by line if persisted in. In this way he would greatly facilitate the passage of the Land Purchase Bill through the House. (8.16.)

(8.50.) COLONEL NOLAN (Galway, N.): As I understand the Resolution before the House it is merely to give power to deal with certain money questions. These preparatory Resolutions do not bind the House, or the Government, or anybody to anything of a restrictive character. It does not limit discussion of the Bill, and only allows the Land Purchase Commissioners, instead of the Land Commissioners generally, to be paid out of the Consolidated Fund. Anyone who opposes the preparatory Resolution must, on the whole, be generally opposed to the Bill. I am not opposed to the Bill generally, and it might be put into good shape in going through Committee. If I disliked the Bill I should be inclined to oppose these preparatory Resolutions; but as it may turn out a good Bill, I do not see the slightest use in opposing the Resolutions. I am not at all inclined to pursue the policy of fighting the battle on these preparatory Resolutions, and I hope that the people of Ireland will know that they do not bind anyone to anything. They simply enable the Government to lay their proposals on the Table. As to the general policy of putting salaries on the Consolidated Fund, I am rather in favour of it. I think it a good thing for Irish officers, particularly, to be paid out of the Consolidated, rather than any other Fund. Ireland contributes double what it ought to the Consolidated Fund, and she gets extremely little from it. At any rate, I think the Government ought to be permitted to state their proposals in the Bill, and it is merely preventing further discussion of a Bill which might be made useful if we debate these preparatory Resolutions, which in the case of all money Bills, are usually passed as a matter of course.

(9.0.) The House divided:—Ayes 81; Noes 134.—(Div. List, No. 122.)

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution."

(9.10.) MR. T. M. HEALY: I acknowledge the strange metamorphosis that has taken place in the House since the Member for Wolverhampton moved his Amendment. Within two or three hours the Government have had support from the Member for South Tyrone and from the hon. Member the Parnellite Whip on the very question which they opposed in the earlier part of the evening. That exactly shows what I have contended all along, namely, the anxiety of the landlord party in this House so to rig the Land Commission that it shall be enthroned for the next 15 years, when the judicial rents will again commence, and when they will have to deal with the purchase of land. The House and the country should understand this matter. Here are two Bills, and the Government have proposed two Resolutions, one proposing to place certain Gentlemen on the Consolidated Fund who have nothing under heaven to do with the original Bill, because it is a Purchase Bill. Therefore, the Member for South Tyrone, and the hon. and gallant Member for Galway, on behalf of his Party, have supported the Government in introducing into this Land Purchase Bill a proposal to make permanent the fair rent Commissioners, Messrs. Wrench, Fitzgerald, and Bewley, who are to have the fixing of fair rents for the next 15 years. But what does this Resolution do? It provides that the salaries of Messrs. M'Carthy and Lynch shall be placed on the Consolidated Fund, but it does not do what the Government originally intended—govern the salaries of Messrs. Fitzgerald, Wrench, and Bewley. The Government say they want to equalise the position of the Fair Rent Commissioners and the Land Purchase Commissioners, but this Resolution leaves the salaries of the latter untouched. You have these gentlemen opposing the proposal that the salaries of the Land Purchase Commissioners shall be placed on the Consolidated Fund, and you have them voting against the Amendment which, at any rate, ought to confine the mischief to the Purchase Department. That shows the genuineness of the opposition offered to the Government by the hon. Member for South Tyrone; and we may judge fairly of his earlier declaration that he was opposed to the salaries of the Land Commissioners being taken off the Estimates. When I move my Amendment, which, at any rate, excludes the Fair Rent Commissioners from the purview of the clause, the hon. Member votes in the very opposite direction. That clearly shows, to use the American phrase, that he was only talking bunkum—that he was only talking to his constituents. Much as I mistrust Mr. Wrench in his dealing with the fair rent question, I shall mistrust him more if he is to be imported into the Purchase Department; and if that importation is to proceed, I ask that you shall have a levelling down, and that Mr. M'Carthy and Mr. Lynch shall have equal powers in connection with the fair rent department. But will this be done? Certainly not, because, as I understand it, the power which was given to the Land Commission by the Land Purchase Act of 1835 still remains intact, as defined by Section 17, which confers it, and can only be exercised for the sole purpose of purchase by the two gentlemen who are there nominated. This, in my judgment, is a very serious consideration. You are driven to pass this Resolution by the framing of your Bill, because it would be absolutely unnecessary except for Clause 10; and even with Clause 10 it does not equalise the position of the Land Commissioners, as it leaves their salaries unequal and their purchasing powers unequal. This position of affairs is due to tricky draftsmanship, which is a procedure that always defeats itself, because the moment you begin to trick in draftsmanship, the House begins to be suspicious, and you will find that, in this instance, the trick will not help you in expediting your measure. The House requires explanations on this subject; and the moment explanations are needed, the Government are exposed to criticism which would have been saved had this trickiness been avoided. Members of Parliament are, as a rule, plain, blunt men, who begin to take exception the moment they find the Government acting in this manner. A more irregular proceeding was never foisted on Parliament than that of dealing with these Commissioners' salaries in two pieces and requiring special Resolutions for the purpose. I say it is a thing hitherto unheard of. If you deny this I ask you to quote precedents for it, if any there be. I say that to deal with this matter by means of two Resolutions is a revolutionary procedure utterly opposed to constitutional practice. We know what it has sprung from. Last year you had only one Bill; you now have two, and you have transferred to the first of those Bills everything that is objectionable to the tenants and favourable to the landlords. In addition to this, you put Mr. Wrench on the pig's back; for you do not care what happens to him by placing him in the first Bill, while the others are placed in the second. I say that this is a most unfair and unconstitutional way of treating the House. Mr. Wrench is entitled to no better treatment than Mr. Lynch or Mr. M'Carthy. Both these men have held their appointments for a considerable period; they have done good work, and up to the present no fault has been found with them. You say you are anxious to equalise their salaries with those of Mr. Wrench and Mr. Fitzgerald. If so, why have you not put them in the first Bill? The reason is clear. It is because you do not intend to equalise their salaries. The first Bill has no more to do with fair rent than with the opium traffic. It has as little to do with the Land Commission of 1885 as it has to do with the Drainage Act. And yet you propose to make Mr. Wrench and Mr. Fitzgerald permanent officials under the circumstances I have put before the House. I say it is a monstrous and scandalous way of treating the House of Commons. And how do you do it? You do not do it in a draftsmanlike manner nor even in a crafty manner. You do it in a way that would not puzzle a schoolboy; and this is the way in which you, who complain of the time of the House of Commons being wasted, compel the waste of that time by the necessity of exposing an unconstitutional trick. Mr. Wrench may have thought it a clever thing to have drafted into the first Bill, which has nothing to do with his position as a fair rent Commissioner, a Resolution making that position permanent and taking his salary off the Estimates, in order to put it on the Consolidated Fund. But to have been clever, it ought to have been done frankly, boldly, and outspokenly, and this is exactly what has not been done. In his speech on the Second Reading of the two measures the Chief Secretary declared his anxiety that everyone should stand in the same position as to salary and powers and tenure of office. Will that be so? No; because the second Resolution is not intended to be passed, and, therefore, the only man who is to be a gainer under the Bill is the very man whose position we take exception to. We object to Mr. Wrench having his salary taken off the Estimates and placed on the Consolidated Fund, and that objection is strengthened tenfold when we find gentlemen like the hon. and gallant Member for North Galway (Colonel Nolan) supporting, on behalf of a Party which largely consists of landlords, and aided by the hon. Member for South Tyrone (Mr. T. W. Russell), this nefarious transaction on the part of the Government; for I do not hesitate to say it is a nefarious transaction. Moreover, it is a scandal that men representing the tenants' interests in this House should support the Tory Party in backing up the landlord members of the Land Commission. We are not surprised that the hon. Member for South Tyrone, who so eloquently denounced the Government not long ago, should now give them his support; but we are surprised to see the hon. and gallant Gentleman who represents the tenants of North Galway taking a similar course, especially when we know that the Government do not intend to carry out their proposal in a manly, straightforward manner, but rather under cover of a draftsman's trick. I denounce this as unconstitutional, absurd, and unnecessary, and I say with regard to the clause on which it is pretended to be based that it has no business in the Bill at all. When you split the Bill of last year into two the proper course would have been to have omitted this clause from Bill No. 1 and have dealt with it in Bill No. 2. You may reply that the second Bill deals with a separate matter. Granted that it does; still, if there are any matters that ought not to be separated from each other, they are such matters as the salary, tenure, and position of the Land Commissioners. We know already what friction prevails in the Land Purchase Department, and when you propose to empower Mr. Wrench to sit side by side with Mr. M'Carthy and Mr. Lynch ——

*Mr. SPEAKER: I must ask the hon. Member to confine his attention to the Question before the House. I warn him that during the last quarter of an hour he has been repeating the same thing over and over again, although in a slightly varied form of words.

Mr. T. M. HEALY: I thought that on a subject of this kind it was necessary to give illustrations, but of course I bow to your decision. It should be remembered, however, that throughout this Debate we have had no word of explanation from the Government. This Resolution was originally passed without discussion, and it is only at this stage that we can require from the Government suitable explanations. If they refuse to make them it is only fair that they should be pressed to do so if necessary over and over again. Still, Sir, I accept your ruling; and as I shall have another opportunity when the clause itself comes to be dealt with, I will reserve what I have further to say on this point. But I do ask the Government to give us some explanation on this subject.

(9.30.) Colonel NOLAN: I only rise because the hon. and learned Gentleman the Member for Longford has alluded to me in his usual manner. He makes the most reckless statements, and never evinces the slightest wish to ascertain the truth of them.

*Mr. SPEAKER: Order, order! The hon. and gallant Gentleman is using language which is scarcely Parliamentary.

Colonel NOLAN: I will merely say the hon. and learned Gentleman is so gifted in the sense of hearing that he professes to know what I said when he was out of the House. The hon. and learned Gentleman has totally misinterpreted the views which I gave expression to earlier in the evening. I stated clearly that I spoke only for myself as a Member of Parliament, though to a certain extent, of course, I always speak for Galway. I maintain that it is to the interest of every tenant in Galway that the Government should be enabled to lay before the House the whole of their propositions regarding the advance of the purchase money. The question as to who gets the appointment is of very little importance to the tenants of Ireland, and may be described as a mere "bar" question. The passing of these Resolutions is a mere matter of form, and consequently I said, a short time ago, I would not offer the Resolutions any opposition. I did not support them. I have given neither support or opposition to the Resolutions, because they bind us to nothing. The hon. and learned Gentleman has attacked me simply because I am opposed to him in Irish politics, and because I disapprove of his making one speech one week and a diametrically opposite speech another week. If he takes the trouble to inquire he will learn that I made a very moderate speech. I threw over no one. I am anxious to hear the Government proposals, and I have bound myself to nothing. But I will give the hon. and learned Gentleman my opinion of the Bill in general. I do not say it is a good or a bad Bill, but I think it may be moulded into a good or a bad Bill. ["Hear!"] If hon. Members agree with me they ought to allow the Bill to be considered in Committee.

(9.37.) Mr. CHANCE (Kilkenny, S.): I am afraid the hon. and gallant Member has fallen into error. The statement he has addressed to the House would lead one to suppose that the observations he made some 30 minutes ago were addressed to the Main Question. The hon. and gallant Member's previous observations were not addressed to the Main Question before the House, but to the small point as to whether the Land Purchase Commissioners alone should be made permanent officials and freed from Parliamentary control, or whether such freedom of control should be extended to Messrs. Wrench and Fitzgerald and Bewley. In his opinion it would be beneficial to the people of Ireland that these three gentlemen should be freed in every respect from the control of Parliament. He knows that in the next five years these gentlemen, when placed on the pedestal of Judges of the Superior Court, will have the fixing of his rents and those of every landlord in Ireland. This is no mere "bar" question. The Resolution deals with the supply of money to make good deficiencies which may arise in a certain fund, and it takes away permanently from the control of Parliament all questions relating to the administration of that fund. It should be established as a certainty that an honest and uncorrupted tribunal will be created, not only for the fixing of the purchase money, but for the fixing of fair rents.

(9.40.) MR. LABOUCHERE: The hon. and learned Member for Longford has said this is an endowment Resolution for Messrs. Wrench, Fitzgerald, and others. I have a still stronger reason for voting against the Resolution. Your attention, Sir, was called to the fact that the Resolution does not appear on the Orders of the Day. You said, in reply, that that was usual on the Report stage. Of course that is perfectly correct; but still, I submit that a Resolution of this importance ought to appear on the Orders of the Day, because the House is now being asked to pass a Resolution of which many hon. Members do not know the wording. The Resolution says that it is "expedient to authorise" a temporary advance from the Consolidated Fund of any sums that may be required, and practically empowers the Committee on the Land Purchase Bill to deal with the moneys. I do not consider it to be expedient to authorise the Committee to do anything of the kind. I object to any species of Imperial guarantee being given in order to make purchases of estates in Ireland, and I shall meet the Resolution with a negative.

(9.42) MR. E. ROBERTSON (Dundee): I am glad the hon. Member for Northampton has alluded to the extraordinary circumstances under which this Resolution is now before the House. The Government have said nothing at all for the last two or three hours, but I hope they will feel it due to the House to explain how it is that the Resolution has been brought forward under such extraordinary circumstances. The ruling which you, Sir, gave on the point of Order which I raised earlier in the evening by no means removes from the Government the serious responsibility they have incurred of asking the House to discuss a Resolution of which hon. Members have no means of obtaining a copy. Through the action or inaction of the Government in failing to provide the House with proper information we have been discussing for four or five hours a Resolution of which nobody knows the terms, and I hope the ountry will take notice of the fact. I do not think the Government are treating the House or the country with proper respect.

(9.45.) MR. T. W. RUSSELL: I trust the House will permit me to make one or two observations in reply to what has fallen from the hon. and learned Member for Longford. It is quite true I supported the Amendment of the right hon. Gentleman the Member for Wolverhampton and opposed the Amendment of the hon. Member for Longford. I fail to see any inconsistency in that course. The House having rejected the Amendment of the right hon. Gentleman I decline to follow the hon. Member for Longford in any guerilla warfare designed to delay the Land Bill going into Committee. That is what the present proceedings mean, and I wish this country and Ireland to distinctly understand it. I shall be no party to it, and I distinctly decline to assist the hon. Member for Longford in any plan or scheme for delaying what I consider to be a great and beneficent measure for Ireland.

*MR. J. E. ELLIS (Nottingham, Rushcliffe): The hon. Member for South Tyrone is entirely mistaken in supposing that the object of those of us who support the position taken up by the hon. Member for Longford is to delay the Land Bill.

*MR. T. W. RUSSELL: I have never mentioned the hon. Member for the Rushcliffe Division.

*MR. J. E. ELLIS: In my opinion, the point involved in this Resolution is one which might fairly claim the attention of the House of Commons for the whole evening. I must convey my thanks to the right hon. Gentleman the Member for Wolverhampton for having raised this question. No reply has been given by the Chief Secretary (Mr. A. J. Balfour) to my right hon. Friend's luminous speech. The whole sum and substance of the Chief Secretary's speech was practically this: That the state of Ireland in relation to the land question, after the present Government have been in power for several years, is such that a course has to be pursued in regard to the Land Commission which is pursued in no other Department of the State. The right hon. Gentleman (Mr. Balfour) could not cite a single precedent for the course he is taking. Immediately on the Land Bill being read a second time I placed on the Paper an Amendment similar to that which the right hon. Gentleman has moved, and I can promise the Chief Secretary that the Government will not escape from the necessity of a thorough examination of this whole matter when we come to the Bill itself. I think the course pursued by the Government has been somewhat extraordinary. Beyond the rather airy speech, a few minutes in length, of the Chief Secretary, not a word has been said by the Government in defence of the principle involved in this Resolution. The only support from the Benches opposite has come from the hon. Member for Armagh. If a discussion of this kind had taken place at the time when the Chief Secretary was sitting on this side of the House, the Adjournment of the Debate would have been moved long before this if the Government had sat silent. The Land Bill of 1881 had been in this House 43 nights when the present First Lord of the Treasury moved its re-committal, in order to make it obligatory that at the end of six years the position of the Land Commission should be inquired into. Speaking after much time spent in investigating the matter, I do not hesitate to say that, so far from that Commission being a body that should be withdrawn from the control of Parliament, it is one of the first bodies that should come within the scope of Parliamentary control, and should have its proceedings strictly investigated. The Reports of the Auditor and Controller General for the years 1887-8-9 and 1890 bear out what I am saying, and show that the proceedings of the Land Commission ought to be overhauled by a Committee or a Royal Commission from top to bottom.

(9.56.) MR. M. HEALY (Cork): The hon. Member for South Tyrone (Mr. T. W. Russell) has endeavoured to justify his inconsistency on this question by charging us with endeavouring to delay the Purchase Bill. If there is anyone responsible for the delay which has taken place it is those who have drafted the Bill. We have asked in vain for some explanation of the final form which these Bills have taken. Last year the Government embodied their Irish land policy in one Bill; this year they have two Bills, and they have placed themselves in their present ridiculous position by making different sets of proposals dealing with the Commissioners. We have asked for some explanation of this extraordinary proceeding, but in vain, although our question is a natural and reasonable one. It has been said that the Resolution before the House is a mere matter of form, but I deny this, because this Resolution is really the root of Clause 10 of the Bill. Moreover, a very sinister distinction is involved in this matter between the two sets of Commissioners. It is plain that the object of the Government is this: not intending to go on with the second Bill, they have imported into the first one the only proposal relating to the *status* and pay of the Commissioners and giving them fixity of tenure. The other portion of the proposal, which places Mr. M'Carthy and Mr. Lynch on an equal footing, has been embodied in a Bill which we have come to the conclusion the Government do not seriously mean to proceed with, but that is a point I do not wish to labour now. But I do say the Government have not met us fairly in this matter. We have asked a reasonable question and we get no reply, and if there has been any such delay as that the hon. Member for South Tyrone speaks of, then the responsibility for that must be placed on the shoulders of those who countenance this tricky species of draftsmanship embodied in this Bill and these Resolutions.

(10.5.) The House divided:—Ayes 175; Noes 116.—(Div. List, No. 123.)

Resolution 2,

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of the salaries, remuneration, and administrative expenses of the Congested Districts Board, in pursuance of any Act of the present Session relating to the Purchase of Land in Ireland, the Land Commission, and the Congested Districts in Ireland,"

read a second time.

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution."

(10.17.) MR. CONYBEARE (Cornwall, Camborne): The complaint which I have to make in respect to this Resolution has, I daresay, been made in reference to the other Resolution which has occupied the attention of the House this evening, that no intimation of the Resolution appears on the Notice Paper. I think it is rather discreditable to Her Majesty's Government that when important Resolutions of this character are brought before the House of Commons we should have absolutely no notice of them. How in the world are Members of Parliament to do their duty in the House unless they have timely notice, and can come down to the House prepared to deal with the important points of a complex measure? But apart from this, which may be, perhaps, considered an unimportant matter of procedure, I object to the Resolution in its entirety and on its merits. I do not consider it is expedient to authorise the payment of moneys for the purpose mentioned in the Resolution, and I think it is our duty not to allow this Resolution to pass without examining it from every point of view, and, if necessary, taking the sense of the House upon it. My principle object in rising is to try and extract an assurance from the Chief Secretary that when this Resolution is passed the Government will not, in the course of this or a following Session, pass a sort of omnibus Bill saddling the country with these payments in perpetuity. What is wanted is that Parliament should have the control and constant supervision over the expenses under this abominable, this atrocious Bill. I do not know that I should be in order in proposing an Amendment.

*MR. SPEAKER: It is too late for the hon. Member to do that now.

MR. CONYBEARE: I have no intention of proposing any Amendment; but I think we have a right to know from the Government whether they propose, acting under this Resolution in any Bill they may pass later, to follow the precedent they set in the Naval Construction Act, and in which they themselves then copied Prince Bismarck, of getting voted a large sum for a particular purpose for a series of years. Such a practice, until this revolutionary Government came into Office, was foreign to the Constitution of this country. We want an assurance that the Government will not follow this bad precedent, but that payments under the proposed Bill shall be subject to annual Parliamentary control. In view of the magnitude of the operations contemplated under this Bill, in view of the magnitude of the losses the country is almost certain to suffer in the future, our duty, as guardians of the interests of our constituents, is to scan minutely every proposal connected with the scheme, and to do what we can to minimise the evil. We are asked to pass a Resolution authorising the payment of salaries to a Congested Districts Board, but we do not know what that Board is or what it is likely to be. The constitution of the Board is only dealt with at the tail-end of this long and complicated measure, and I object to having our hands tied from the outset by the passing of this Resolution, and the Government given control of this large sum of money for a Board not yet constituted, which is yet in limbo. We have a right to know much more about this Board, and these Congested Districts, for we have our suspicions that these proposals cover a new system of jobbery, and for the distribution of patronage among the fledglings of the Irish Bar or the half-starved hangers-on to a rotten system of administration.

(10.27.) The House divided:—Ayes 192; Noes 121.—(Div. List, No. 124.)

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

(10.38.) The CHAIRMAN: The Amendment which stands in the name of the hon. Member for Dundee (Mr. E. Robertson) would leave the clause without meaning. The Amendment could not be inserted, except as part of a series of Amendments.

Mr. E. ROBERTSON: Yes, Sir, I had that in view, and I will give by-and-bye the words I propose to substitute. The first sub-section runs thus:—

> "Every advance under the Land Purchase Acts after the commencement of this Act, except for the purpose of such prior proceedings as hereinafter mentioned, shall be made by the issue of a sum of Guaranteed Stock equal in nominal amount to the advance."

The Land Purchase Acts here referred to consist of eight separate statutes, which are, I believe, unknown to the vast majority of the Members of the House. The right hon. Gentleman promised before the Easter Recess that copies of those Acts should be provided for the use of Members. The copies have not been provided, and consequently the Committee has to consider this Bill as much in the dark as the House was when it considered the Resolutions which have now been carried. My objection to this sub-section is that the proposed advance is not a straightforward, honest grant of the money. The object of the Bill is said to be to provide further funds for the purchase of land in Ireland. I invite the attention of the Committee to the remarkable absence of straightforwardness in the manner in which the thing is done. I do not see where the grant comes in. Sub-section 1 says that every advance under the Land Purchase Acts shall be made by the issue of Stock. That is to say that, instead of money as authorised by the Ashbourne Acts, we are going to have a new Stock. Not a single farthing of money is granted by Sub-section 1. Sub-section 2 of Section 6 does, I suppose it will be contended, enlarge the limits of the Ashbourne Acts, which, as they stand, authorise the advance of £10,000,000, and not more. Sub-section 2 of Section 6 runs thus:—

> "The advances under this Act for the purchase of holdings in any county shall not, except in so far as is hereafter provided, exceed 25 times the share of the county in the Guarantee Fund."

That is, no doubt, a county limit, the maintenance of which would be perfectly consistent with the retention of the Ashbourne limit of £10,000,000. My contention is that with these words we could not, even when this Bill passes, grant in any county more than 25 times the capital value of the share of the county in the Guaranteed Stock, and further we could not grant more than the £10,000,000 sanctioned by the Ashbourne Acts. There is only one other part of the Bill which bears on this question at all, as far as I can find out, and that is Sub-section 1 of Section 7. That sub-section says—

> "The Guaranteed Land Stock shall from time to time, as required for the purposes of this Act, be created by the Treasury."

That, no doubt, is a grant of power to the Treasury to create Guaranteed Stock for the purposes of this Act; but I maintain that there is nothing there which expunges the aggregate limit of £10,000,000 fixed by the Ashbourne Acts of 1888. I do not pretend to say that legal ingenuity or judicial astuteness may not interpret these clauses, taken together, as equivalent to a new grant to the limit specified in Clause 6. But even if that interpretation can be put upon the clauses as they stand, I maintain that that is not an honest, straightforward, direct, or respectful way of asking Parliament to advance this enormous sum of money out of the Public Funds. I propose, therefore, to ask the Committee to revert to the more honest, direct, and straightforward proposal which was made by the Government about a year ago, and to substitute for Sub-section 1 of Clause 1 of the present Bill the proposal of the Bill of last year, which is that if the landlord and tenant of a holding in Ireland make an agreement for the sale of the holding to the tenant, and such agreement provides for an application to the Land Department to make an advance for the payment of the purchase, the Land Department

> "May make an order for carrying the same into effect, and may, in manner provided by this Act, make the said advance."

The other enacting words in Sub-section 1 of Section 4 of the Bill of 1890 are:—

> "The Land Department shall make an advance under this Act for the purchase of a

holding by issuing out of Stock placed at their disposal, in pursuance of this Act, an amount of Stock equal in nominal amount to such advance."

Now, what I propose is to substitute in place of Sub-section 1 of this Bill the words in the Bill of 1890, to which I have referred. I ask the Attorney General to give attention to the legal aspect of the Bill as now drafted, and I ask him whether he has any objection to the words in the Bill of last year, which I have read? Last year we were asked, in terms, to authorise the Government Department to make an advance, and to make it by issuing Guarantee Stock. We are not asked, now, to do anything of the kind. The whole thing is done indirectly, and by allusion and reference to Acts that are not before the House, and by a tortuous construction of the clauses of the Bill. Very hard things have been said below the Gangway to-night about the draftsmanship of the Resolutions that have engaged attention so long this evening. I cannot say the same with regard to the present Bill; but one thing which it occurs to me to say about the measure is this: that it seems to me that the learned Attorney General for Ireland, in doing his best for the Government, has thought it the safest thing to do to draft the Bill on the lines of the least resistance. It seems to me that the 40 clauses which, in honest, bad English, were supposed to carry out the desire of the Government last year have been reduced to 10, and that the effect of that is doubly shown in the 1st sub-section of that clause.

Amendment proposed,

In page 1, line 7, to leave out all the words to the word "by," in line 9, and insert the words "If the landlord and tenant of a holding in Ireland make an agreement for the sale of the holding to the tenant, and such agreement provides for an application to the Land Department to carry the sale into effect under this Act, and to make an advance to the amount specified in the agreement, the Land Department may make the advance."—*(Mr. Edmund Robertson.)*

Question proposed, "That the words 'every advance' stand part of the Clause."

(10.57.) Mr. A. J. BALFOUR: The hon. and learned Gentleman who has just sat down has moved an Amendment which, if I may judge it from the hon. and learned Gentleman's speech, is of a purely drafting character. He accused the Government of having in the framework of the Bill pursued a tortuous and deceptive policy, and endeavoured to conceal from the House the true character of the Bill. [*Opposition cheers.*] If hon. Gentlemen who cheer had listened to my remarks in introducing the Bill they would have observed that there has been no change in the proposals which the Government submitted to the House last year. I brought forward this Bill as precisely identical with that of last year, and the reason I alleged for the change in form was that I thought it would more easily pass in its new than in its old form. That appears to me to be common sense. It certainly is a very open policy. There was no concealment in the beginning of it, and there is no concealment now. What we have done in this Bill and what we did not do in the Bill of 1890 is to draft a new grant of money on to the machinery of the Ashbourne Acts, and by so doing we save the House the trouble and the time that would be expended in considering and quarrelling over any new machinery that might be proposed. I cannot conceive a course more straightforward, more open, more consistent with common sense. I hope the hon. and learned Gentleman will not press an Amendment which does not alter the substance of the Bill, but runs counter to the whole framework and the whole system on which the Bill as now proposed is founded. As a drafting Amendment, it is no improvement in the form of the Bill, which indeed speaks in almost every clause of the Bill of 1885. I trust the hon. and learned Member will not waste the time of the Committee in discussing an Amendment which by his own confession is purely a drafting Amendment.

Mr. E. ROBERTSON: I never said so.

Mr. A. J. BALFOUR: By his own speech, then. No argument of substance has been urged against the sub-section. The Amendment deteriorates the form of the Bill, and I hope the hon. and learned Member will not ask the Committee to discuss phraseology which is not in harmony with the general tenour of the Bill, or with the measures of 1885 and 1888. Ought he not to allow words to stand which, as a lawyer, he will not deny carry out the intentions of the framers of the Bill?

(11.2.) MR. J. MORLEY: I agree with the right hon. Gentleman in thinking that it is laudable on the part of a Minister to try and pass a Bill, but it is equally laudable on the part of the House of Commons to satisfy itself what kind of a Bill it is before passing it. The right hon. Gentleman says that my hon. and learned Friend has moved an Amendment merely on a drafting point. Drafting may be, and often is, a matter of great importance indeed. When this Bill has to be construed by the Courts, they will not look at the speeches, but at that which the right hon. Gentleman makes so light of—the drafting of the clauses. My hon. and learned Friend read the clause in the Bill of 1890, and shewed that it differed materially from the present clause, but the right hon. Gentleman has not explained why the change has been made.

MR. A. J. BALFOUR: I beg the right hon. Gentleman's pardon. I have done so. I distinctly said that last year certain machinery was created, and in order to pass this Bill more easily and to shorten it, the existing machinery has been adopted.

MR. J. MORLEY: I cannot agree that this Bill answers to the description which has been given, that old machinery is being used for the purposes of a new grant of money, and before this Bill is got rid of the right hon. Gentleman will have many opportunities of justifying that description if he can. The right hon. Gentleman should tell the Committee by what clause in the Bill as it now stands there is power given to the Treasury to advance one shilling beyond the £10,000,000 granted. The Act of 1888, no doubt, sanctioned the advance of £10,000,000 for the purposes of Land Purchase, but where can the Committee find in the present Bill a clause specifying an extension from £10,000,000 to £33,000,000 or £40,000,000? What clause gives that power? The right hon. Gentleman will, no doubt, refer us to the third Sub-section of Clause 6, but that only specifies a sub-limit and is perfectly consistent with the aggregate amount advanced being limited to the sums specified in the Act of 1888. I think my hon. and learned Friend is perfectly justified in pressing this matter. I hope he will insist on a Division, and that the Committee will appreciate the full force of his point.

*(11.7.) MR. MADDEN: I think I can answer the question put by the hon. and learned Member for Dundee. Both he and the right hon. Gentleman the Member for Newcastle have asked under what legal authority will advances be made of the guaranteed sum. Advances will be made under the machinery provided by the Act of 1885, with this difference, that the limit of advance is prescribed by the Bill now before the Committee. The hon. and learned Member asks what is the difference between the Bill of last year and the present measure. The difference is this: the Bill of last year contained a code complete in itself dealing with Land Purchase, beginning with the agreement, the sanction of the agreement, and the advance. Rightly or wrongly, the Bill of the present year proceeds on a different basis altogether It engrafts new financial provisions with a new financial limit on the Act of 1885. The Land Purchase Acts, of course, include the Act of 1885, and every future advance under any Land Purchase Act is to be made by the issue of Guaranteed Stock. Under the Bill of last year the advance was to be made not under the Acts of 1885 and 1888, but under the Bill of last year itself. That Bill was a code in itself, and therein lay the difference between it and the present Bill. There is no necessity for a separate provision in the present Bill authorising the advances, because the machinery of the existing Acts is brought into operation.

(11.12.) SIR H. DAVEY (Stockton): My hon. and learned Friend who moved the Amendment put a pointed question to the Government—namely, Where in the Bill is there to be found the power to increase by a single shilling the advances authorised by existing Acts? No answer has been given, and, indeed, no such power in the present Bill exists. It gives no authority to advance anything; the only advancing power is to be found in the Land Purchase Acts. Under the Ashbourne Acts the advances are absolutely limited to a sum of £10,000,000. The explanation of the Government is that they are adopting existing machinery and that the advances under this Act are to be in the form of Guaranteed Stock; but the Committee will at once perceive that in merely altering the mode in which the advance is to be made, the Government do not enlarge the authority for advances. That authority is still limited to a given amount. The hon. and learned Gentleman told us that the limit was contained in Section 7 of this Bill. What does that say?

THE CHAIRMAN: Order, order! It is premature to examine that question now. It is not raised by the Amendment before the Committee.

SIR H. DAVEY: I am trying to point out that the object of the Amendment is to bring clearly before the House the power which it is intended under the Bill to give to the Treasury, and what, if any, are the limits of that power. I must say I was disappointed with the speech of the right hon. Gentleman the Chief Secretary. If arguments which have been adduced from the Opposition side of the House in perfect good faith are to be met in the perfunctory and off-hand manner which has been displayed by the Government this evening, the time spent in discussing the Bill will be considerably extended. But, Sir, you have ruled out of order the observations I proposed to make on Section 7, and I will therefore resume my seat, only saying that in my humble judgment my hon. and learned Friend's point has not been answered. I will also take the responsibility of saying that if I were asked to advise the Treasury as to its power under this clause, I should find it extremely difficult to say that any advance would be legal beyond the amount authorised by the Acts of 1885 and 1888.

(11.19.) MR. A. J. BALFOUR: There are two separate and distinct points raised by the hon. and learned Gentleman who moved the Amendment. The principal point is connected with the machinery of the Bill. The hon. and learned Gentleman objected to the Government using the machinery of the Acts of 1885 and 1888, and to this objection I have replied that the Government believe the course they have adopted to be the most convenient on the whole. The view of the hon. and learned Gentleman who last spoke does not agree with that taken by my right hon. Friend the Attorney General for Ireland, but however that may be this is not the time to discuss the question. If there can be any doubt on the point the Government are willing to introduce words that are necessary to clear it up. But meanwhile I do not think we ought to waste time in discussing the point now. As the Bill has been drafted on the theory I have explained, it would be a great waste of time to endeavour to reconstruct it on a different principle.

*(11.22.) MR. SEYMOUR KEAY (Elgin and Nairn): This is nothing but a legal Debate, and I have no intention of taking any part in it. I simply rise to make one remark, and to put one question to the right hon. Gentleman the Chief Secretary for Ireland. That one remark is with regard to the charges made, and in my judgment fairly made, by my hon. and learned Friend the Member for Dundee. He said there is a tortuous character in the drafting of the Bill in respect to the hiding away of the extent to which borrowing powers may be exercised. In reply to that what did the right hon. Gentleman say? If he will kindly give me his attention I think he will save the time of the Committee. His reply was that there is no ground for the charge of tortuous policy or concealment because the machinery of the Ashbourne Acts of 1885 and 1886 have been used and that the Ashbourne Acts are plainly alluded to in almost every clause in this Bill. Now I want to show the Committee how little the right hon. Gentleman knows of the Bill for which he is responsible, and I will therefore, ask him to be so good as to point out any clause in the Bill in which the Ashbourne Acts of 1885 and 1888 are even named, except one clause and one clause only, which actually forbids any further advance being made under these Acts.

(11.24.) Mr. CHANCE: I will submit to the Committee that we are now considering the question of what is the meaning of the words "further advance under the Land Purchase Acts." If the

Committee are asked to pass these words surely it is only reasonable that they should be informed as to the meaning. The right hon. Gentlemen the Chief Secretary for Ireland says it is merely a matter of form; but I submit that it is not so, and for this reason, that the words distinctly limit the amount of money to be advanced, and, therefore, when the supply of money provided under the Ashbourne Acts is exhausted, it will be impossible to make any further advance and the Bill will cease to act by reason of the lack of ammunition.

(11.27.) Sir G. CAMPBELL (Kirkcaldy, &c.): It now appears that the right hon. Gentleman has had this Bill drafted in an obscure manner. We are able to gather that the intention of the Government is to apply a sum of £30,000,000 or £40,000,000 belonging to the people of this country for the purposes of this Bill, and the more we study the measure the more puzzling does it become. I think we are entitled to further consideration of this extremely obscure Bill. It is impossible at this time of night that we should understand it, and in order that we may have a fair opportunity of realising what it is, I think the best plan would be for me to move to report Progress. I therefore beg to do that.

The CHAIRMAN: Order, order! I cannot receive that Motion, because I regard it as an abuse of the Rules of the House.

(11.30.) Mr. H. H. FOWLER: The further this discussion proceeds, the clearer does it become that these are the governing words of the whole Bill; and I think we are perfectly entitled to raise the question as to the extent of the advances to be made under the Bill. As my hon. and learned Friend has pointed out, a blunder has confessedly been made in the drafting of the measure, and the right hon. Gentleman does not deny that.

Mr. A. J. BALFOUR: The accusation against the Government was that it had pursued a tortuous policy in regard to the Bill; and this is what I do deny.

Mr. H. H. FOWLER: I do not intend to impute to the right hon. Gentleman anything in the nature of a tortuous policy. But I think, after the candid statements we have heard from him and from the Attorney General for Ireland, that it has been made abundantly clear that if this Bill were to pass to-morrow unamended, no lawyer would advise the Treasury to advance one single sixpence over and above the £10,000,000 already authorised to be lent under the Ashbourne Acts. That I take to be the clear effect of Section 6.

The CHAIRMAN: Order, order! The right hon. Gentleman is not entitled to discuss that point. It is anticipating the interpretation to be placed upon a subsequent clause. The Amendment before the House does not raise that question.

Mr. H. H. FOWLER: Of course, Sir, I see the force of your ruling; and I will not ask as to the meaning of these words in advance. But I may inquire do the words "other advances" apply to the £10,000,000 already authorised?

Mr. A. J. BALFOUR: No.

Mr. H. H. FOWLER: Then I hope the right hon. Gentleman will tell us to what they do apply, and, when we reach a later stage of the Bill, will make the whole matter clear to us.

*(11.33.) Mr. MADDEN: I am clearly of opinion that the new limitation contained in this Bill is substituted for, and repeals by implication, the limitation contained in the existing financial provisions. Those provisions have been altogether superseded by the different financial arrangements of the present Bill. But if any hon. Member feels any doubt on this point I do not think we should be justified in taking up the time of the House in arguing this, especially as the introduction of a few words at the proper time would obviate all necessity for a Debate. When Section 6 of the Bill is reached, words will be introduced which will put the matter about which hon. Members opposite feel difficulty beyond the reach of doubt. It would be extremely unsafe to accept the Amendment before the Committee, as it would dislocate the framework of the Bill which has been deliberately adopted. I can only repeat that the point of difference is this, the Bill of last year embodied a complete Code in itself, whereas this Bill engrafts the machinery of the Act of 1885.

(11.35.) MR. J. MORLEY: The right hon. and learned Gentleman opposite used a rather extraordinary expression. He used the word "implied."

*MR. MADDEN: Repeal by implication is a phrase well understood among lawyers.

MR. J. MORLEY: Well, I venture to say that when this House is dealing with an immense loan of money mere implication is not sufficient. Now I ask the Government will they state plainly what words they are prepared to introduce in order to carry out their avowed intention. If they do that, then my hon. and learned Friend may be well advised in withdrawing his Amendment. But we must know exactly what words the Government will put into the clause in order to carry out their intention. Another point to which I wish to draw attention is this—in the Bill of 1890 it was laid down that the Land Commission should only begin operating where agreements had been arrived at between landlord and tenant, but this preliminary condition is not mentioned in the present measure. Ought it not to be specified in the clause; or is it merely left out for drafting purposes? This preliminary agreement is to my mind an important part of the whole operation.

(11.39.) MR. A. J. BALFOUR: As far as I can gather the views of hon. Members opposite will be met, if the first portion of Sub-section 2 of Clause 6 is amended so as to read as follows:—

> "The advances under this Act for the purchase of holdings in any county may be made to the amount of, but shall not exceed, except in so far as is hereafter provided, 25 times the share of the county in the Guarantee Fund."

I think that will leave no doubt as to what the intentions of the Government are.

*(11.40.) MR. KEAY: The right hon. Gentleman has quoted words which he says will, if added to Clause 6, define the limit of advances. But I want to ask him how the alteration of that clause will make it possible.

THE CHAIRMAN: Order, order! It is quite irregular to discuss in advance what would be the effect of the alteration of the clause. We are now concerned with an Amendment to the 1st clause.

*MR. KEAY: The right hon. Gentleman says that advances to the extent of £30,000,000 may be made under the Ashbourne Acts. I say that will be impossible.

THE CHAIRMAN: Order, order!

*MR. KEAY: Very well, Sir, I will not discuss that matter any further. So much has been said as to the possibility of defining the amount in this Bill that I may point out to the right hon. Gentleman that he will have a very difficult task in framing words which will secure the end we desire. The right hon. Gentleman the Chief Secretary has not answered one question I put to him. He has defended the Government against the charge of having pursued a tortuous policy in regard to this Bill, solely by alleging that the Ashbourne Acts are named in every clause of it; but he has not pointed out any single clause in which the Act of 1885 and 1888 are mentioned, except that in which their operation is terminated.

(11.43.) MR. E. ROBERTSON: The right hon. Gentleman very courteously said he did not suppose that I intended to obstruct the Bill. That is true, and as I have succeeded in gaining my point, I will withdraw the Amendment. In the words suggested by the right hon. Gentleman, there are, I think, possibilities of great dangers similar to those I have pointed out to the Committee; and, therefore, the words ought to be carefully considered. The right hon. Member for Newcastle has mentioned an important point, which I omitted to notice, and that is that the Bill of last year required a preliminary agreement between landlord and tenant, which preliminary agreement has disappeared from this Bill. My object is to force upon the Committee the duty of facing this grant in direct words, to which they can say "Yes" or "No," and it will not be contended that there are any such words in the Bill as it stands.

Amendment, by leave, withdrawn.

(11.46.) MR. LABOUCHERE: I do not think my hon. and learned Friend the Member for Dundee has done good service, because he has awakened hon. Members to the precipice over which they were rushing. I wish to absolve myself from any charge of obstruction, and I propose that you should at once pass every clause of the Bill without Amendment. I gather that the result would be we should pass a Bill which would be absolutely worthless for the objects for which it was framed, to which objects I strongly object. If this course were adopted we might read the Bill a third time to-morrow.

(11.47.) Mr. CONYBEARE: I have now to move an Amendment, the effect of which would be to limit the risk of loss to advances under this Bill. If hon. Members will refer to the definition clauses under the Bill they will find that the expression "Land Purchase Act" is given a very wide interpretation indeed, for it includes Acts passed in 1870, 1872, 1881, 1883, 1885, 1888 and 1889. I regard the whole proposal under this Bill as essentially objectionable, and I desire to limit its operation as far as possible and to reduce the mischief and risk of loss to the ratepayers of this country to the lowest possible limit. I therefore propose that no previous Acts shall be brought within the purview of this Bill, and that its operation shall be strictly limited to loans granted under it. I am not going to trouble the Committee at this moment with any further remarks in support of the Amendment. I shall be happy to hear what answer the right hon. Gentleman has to make to the Amendment, and if necessary—if I am forced to do so by the perfunctory character of his reply—I will take leave to address myself again to the Committee.

Amendment proposed, in page 1, line 7, to leave out the words "the Land Purchase Acts after the commencement of."—(*Mr. Conybeare.*)

Question proposed, "That the words 'the Land Purchase Acts' stand part of the Clause."

(11.50.) Mr. T. M. HEALY: There is no reason why the £500,000 remaining unadvanced under the Ashbourne Acts should be clogged by the very objectionable proposals imported for the first time into this Act. Let me point out to the right hon. Gentleman the Chief Secretary what the Amendment of the hon. Member for Camborne involves. You have on two occasions advanced £5,000,000. The first amount was in 1885 and the second in 1888. Nine millions of that money has been already spent. Are you now going by the rejection of this Amendment to declare that that money has been misspent, or that it has been advanced without proper checks and safeguards, which it has taken you all these years to discover? Why, I ask, do the Government seek to go back upon the grant which Parliament has already made, and made so long as six years ago in one case and three years in the other? Are you now going to say that your whole Ashbourne policy was a mistake, and that your disbursements under the 1885 and 1888 Acts were made without proper precautions? Have you suddenly discovered that the whole principle on which you acted in this matter was wrong? If you have not, then why do you adopt this cheeseparing and niggardly way of dealing with the question? I think that, bearing in mind the fact that the Land Purchase Commission is a new body, and also not forgetting the view of the hon. and gallant Member for Galway, that the tenants with but few exceptions will pay their instalments without being coerced by the crowbar into doing so, that this is a case in which the Government might fairly yield. I think they would act sensibly in doing so.

(11.56.) Mr. A. J. BALFOUR: The Government cannot accept the Amendment of the hon. Member for Camborne, as it would cut this Bill off from the parent Act of 1888. The hon. Member who has just sat down raised quite a distinct point—a point which I have considered a great deal, and on which I think there is a good deal to be said on both sides. There is a small balance of £900,000 still remaining under the Act of 1888, and the question is whether that sum should be administered under this Bill, or be used up under the Acts of 1885 and 1888. On the whole, the Government think it would be simpler to have only one system of land purchase. If the hon. and learned Member opposite wishes this balance to be spent under the old Act I have no objection to that; but the proper way to do it will not be by omitting the words the hon. Member for Camborne proposes to omit, but by introducing words which will modify a subsequent section of the Bill. That can be done by introducing in their proper place the words "for the purpose of such prior proceedings."

It being Midnight, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again to-morrow, at Two of the clock.

TAXES (REGULATION OF REMUNERATION) BILL (changed from "ASSESSMENT OF TAXES (REGULATION OF REMUNERATION) BILL"—(No. 221.)

As amended, considered.

Amendments made.

Amendment proposed,

In Clause 2, page 1, leave out "other than in relation to Land Tax," and insert "in the due execution of the Acts relating to the Land Tax and Inhabited House Duties."—(*Mr. Jackson.*)

(12.5.) MR. CONYBEARE (Cornwall, Camborne): I do not find that anyone understands this Bill, and I beg to move the Adjournment.

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The object of the Bill is simply to provide for payment of officials by salary instead of by poundage.

(12.6.) MR. CONYBEARE: I am not at all convinced in my own mind of the propriety of such a change, and I must protest against the very objectionable practice on the part of the Government of moving important Amendments without a single word of explanation.

Amendment agreed to.

Bill to be read the third time to-morrow, at Two of the clock.

PRESUMPTION OF LIFE LIMITATION (SCOTLAND) BILL—(No. 248.)

Considered in Committee.

(In the Committee.)

Clause 2.

Committee report Progress; to sit again upon Monday next.

SUPPLY [6th APRIL] REPORT.

Order read, for resuming Adjourned Debate on Question [7th April],

Mr. A. J. Balfour

"That this House doth agree with the Committee in the Sixth Resolution, 'That a sum not exceeding £28,461, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1892, for Expenditure in respect of Art and Science Buildings, Great Britain.'"

Question put, and agreed to.

7. "That a sum, not exceeding £41,758, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for Expenditure in respect of Diplomatic and Consular Buildings, and for the maintenance of certain Cemeteries Abroad."

8. "That a sum, not exceeding £281,350, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, for the Customs, Inland Revenue, Post Office, and Post Office Telegraph Buildings in Great Britain, including Furniture, Fuel, and sundry Miscellaneous Services."

9. "That a sum, not exceeding £147,450, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1892, in respect of sundry Public Buildings in Great Britain, not provided for on other Votes."

Resolutions agreed to.

MIDDLESEX REGISTRY BILL.—(No. 265.)

SECOND READING.

Order for Second Reading read.

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): This is a one clause Bill. Owing to the death of Lord Truro, it has become necessary to appoint somebody to discharge the duties performed by him under Statute. It is proposed to transfer the duties to the Middlesex Registry Department. The saving will be between £4,000 and £5,000. It is necessary that the Bill should be passed without delay, and I hope the House will welcome the opportunity of effecting so substantial an economy.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Jackson.*)

MR. T. M. HEALY (Longford, N.): Will the right hon. Gentleman state the politics of the gentleman who is to get the job?

Mr. JACKSON: No new officer will be appointed; there will simply be a transference of the duties which have been discharged by, or been under the care of, Lord Truro to an existing officer. ["Who is he?"] The Land Registrar, whoever he may be.

Mr. CONYBEARE (Cornwall, Camborne): That involves the consideration, what are the duties, and whether the Registrar is capable of discharging them?

Mr. H. H. FOWLER (Wolverhampton, E.): I hope my hon. Friends will not persist in opposing this Bill. There are many reasons why the Bill should be passed with the least possible delay, if the House of Commons wishes to save this £5,000 a year. It is not intended to create any new office. At present there is only an assistant Registrar. He has no politics; he is a member of the Civil Service. This is really a question whether the House of Commons wishes to put an end to a sinecure with £5,000 a year.

Mr. CHANCE (Kilkenny, S.): Can the Assistant Registrar gain anything by change of *status?*

Mr. JACKSON: Nothing whatever.

Mr. S. T. EVANS (Glamorgan, Mid): In whose favour will the economy be effected? The registry is one for the County of Middlesex alone, and I should like to know whether it is a fact that money obligations which rest on one county will be transferred to the country generally.

Mr. JACKSON: The fees hitherto paid have gone into the pocket of Lord Truro. In future the fees will go into the Exchequer.

Question put, and agreed to.

Bill read a second time, and committed for to-morrow, at Two of the clock.

DRAINAGE AND IMPROVEMENT OF LAND (IRELAND) BILL.—(No. 66.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again to-morrow.

STATUTORY RULES PROCEDURE BILL. (No. 260.)

Bill read a second time, and committed for Thursday, 23rd April.

CHARITIES RECOVERY BILL.—(No. 247.)

Considered in Committee, and reported; as amended, to be considered upon Monday next.

HARES BILL.—(No. 10.)

Considered in Committee.

(In the Committee).

Clause 1.

Committee report Progress; to sit again upon Wednesday, 24th June.

SMALL HOLDINGS BILL.—(No. 7.)

Committee deferred till Thursday, 23rd April.

COMMON LAW ACTIONS.

Address for—

"Return showing the number of Common Law Actions tried in the Superior Courts during the five years succeeding the 1st day of November, 1885, and the amounts recovered, in the form of, and continuation of, Parliamentary Paper, No. 20, of Session 1882; totals to be shown."—(*Mr. Henry H. Fowler.*)

PARLIAMENTARY ELECTIONS (ILLITERATE VOTERS).

Address for—

"Return showing the number of Persons who voted as Illiterates at Elections in the United Kingdom from the 7th day of March, 1890, to the 9th day of April, 1891."—(*Mr. Webster*).

HIGH COURT OF JUSTICE (ASSIZES.)

Address for—

"Return of the time occupied by the Judges of the High Court in Holding Courts at the Assizes held in the year 1890, in the following form—

	Name of Judge.	Assize Town.	Number of days on which Judge sat in Courts Civil and Criminal.
Totals ...			

—*(Mr. Henry H. Fowler.)*

PRISONERS (DETENTION BEFORE TRIAL).

Address for—

"Return, for the year 1890, of the following information concerning the period during which Prisoners were detained while awaiting Trial at Courts of Quarter Sessions and Assizes in England and Wales, showing (1) the time of detention in Prison before Trial of all Prisoners tried at Assizes and Quarter Sessions in England and Wales during the year 1890:—

Courts (Assize and Quarter Sessions).	Total number of Prisoners tried.	Number of Prisoners detained in Prison between Committal for Trial and Trial for—					
		2 to 4 weeks.*	4 to 6 weeks.	6 to 8 weeks.	8 to 10 weeks.	10 to 12 weeks.	Over 12 weeks.

* Time to be reckoned from date of Committal for Trial to actual day on which Trial commenced.

"And (2) the number of Prisoners awaiting Trial in Prison at the time of the holding of Assizes during the year 1890, and tried subsequently at Quarter Sessions, in the following form:—

Place and date of Assizes.	Number of Prisoners in Prison on the first day of the Assizes who had been committed for Trial at Quarter Sessions.	Place and date of Quarter Sessions at which such Prisoners were subsequently tried.	Number of Prisoners in Column 2 tried at such Sessions.	Interval between first day of Assizes and first day of Sessions.
				Days.

—(*Sir William Harcourt.*)

House adjourned at half after Twelve o'clock.

HOUSE OF COMMONS,

Friday, 10th April, 1891.

The House met at Two of the clock.

QUESTIONS.

"SHARP *V.* WAKEFIELD," AND THE IRISH LICENSING LAWS.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Attorney General for Ireland whether the decision of the House of Lords, in the case of "Sharp *v.* Wakefield," overrules the judgment given in the Irish Court of Queen's Bench in 1876, in the case of "Clitheroe *v.* the Recorder of Dublin," in which it was held that the Irish publican had a vested interest in his licence?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The case of "Sharp *v.* Wakefield" was decided by the House of Lords on a different state of facts and upon different statutes from those which were before the Irish Court of Queen's Bench in the case known as Clitheroe's case. It, therefore, does not overrule the last-mentioned decision. How far the principles on which the House of Lords rested their decision are applicable to the Irish Licensing Code, in any particular state of facts, is another and a different question, in regard to which I ought not to do more than point out that the matter can be raised before the Licensing Authority by any person interested, and, if it is thought advisable, taken to the Courts of Appeal.

MR. T. M. HEALY (Longford, N.): May I ask the right hon. and learned Gentleman whether he has not now set a precedent which may be followed subsequently in answering a legal question addressed to him by a Unionist Member?

MR. MADDEN: I have never refused to answer a legal question which related to a matter which came within my province. I have answered the question of the hon. Member for South Tyrone, (Mr. T. W. Russell) as far as it was within my province and duty to do so; but I declined to express any opinion as the question may hereafter be brought before another tribunal.

SIR WILFRID LAWSON (Cumberland, Cockermouth): I wish to know whether the case mentioned in the question is one which may go before another Court?

MR. MADDEN: Does the hon. Baronet mean the Irish case?

SIR WILFRID LAWSON: Yes.

MR. MADDEN: The Irish case mentioned in the question arose before the passing of the Irish Judicature Act and the decision of the Court of Queen's Bench was final. If a similar case were to arise in Ireland now, it might be carried before a Court of Appeal and ultimately to the House of Lords.

THE IRISH FISHERIES.

MR. FOLEY (Galway, Connemara): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is correctly reported as having recently stated to a deputation on the subject of Irish fisheries, that—

> "Only that morning he had heard from a benevolent lady who had two large boats constructed regardless of expense, costing, he believed, nearly £1,000 a piece, and she sent them to Clifden for the purpose of developing the fishing industry, but the fishing population there did not know how to manage them, and if they had tried, the only result would have been that the boats would have been wrecked and the crews probably drowned;"

whether he has since been informed that such statement is incorrect; and whether the Government will, during the present period of intense distress, assist in its alleviation by employing the people in the erection of suitable piers and harbours along the west coast which are greatly required, and the erection of which would facilitate the development of the fishing industry referred to?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The report of the statement attributed to me is substantially correct, except that the vessels were to be used at, not had been actually sent to, Clifden. That statement, which I have no ground for believing to be otherwise than accurate, was based upon the report of the shipbuilder who had built the vessels, and who had, by direction of the proposed donor, visited the neighbourhood with a view to make arrangements for their reception. The erection of piers and harbours is seldom the best way of providing employment in districts where acute distress prevails.

DISTRESS IN DONEGAL.

Mr. A. O'CONNOR (Donegal, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what steps, if any, have been taken to start relief works in Ranafast, Ranomona, and Loughnanoran, in West Donegal; whether he is aware that there is much fever in these districts; and what means of subsistence there are for the 783 inhabitants from this time till June, and for the women and children from June till the return of the wage-earners from the Scotch harvest in August?

Mr. A. J. BALFOUR: I must ask the hon. Gentleman to defer the question until Monday. I have not yet been able to obtain full particulars; but I hope to have a Report by that time.

SALE OF INDIAN OPIUM IN ENGLAND.

Mr. KIMBER (Wandsworth): I beg to ask the Secretary of State for the Home Department whether opium, the manufacture of the Indian Government, imported into the United Kingdom for the use of Chinese or others for smoking or other purposes, will be allowed to be sold here as in India without being labelled "Poison," as is required by law to be done as regards opium sold for use as medicine and under penalties enforceable in the Criminal Courts?

The SECRETARY of STATE for the HOME DEPARTMENT (Mr. Matthews, Birmingham, E.): According to the provisions of the Pharmacy Act opium cannot be sold in Great Britain unless, together with the name of the article, the word "Poison" is used, and the name and address of the seller are given.

ABDUL RASOUL.

Mr. CONYBEARE (Cornwall, Camborne): I beg to ask the Under Secretary of State for India whether he has further considered the case of Abdul Rasoul, and what he proposes to do for him?

The UNDER SECRETARY of STATE for FOREIGN AFFAIRS (Sir J. Fergusson, Manchester, N.E.): In the absence of my right hon. Friend the Under Secretary for India, I am requested to say that Abdul Rasoul was offered the payment of his expenses in this country, a passage to Bombay, and a safe conduct to Kashmir. He declined these terms unless he also received some Government appointment or a pecuniary equivalent. The Secretary of State refused to extend the offer specified above, and on the 20th of March Abdul Rasoul was informed that if he did not avail himself of those terms within 14 days, they would be withdrawn. He has made no communication since then.

Mr. CONYBEARE: I should like to be informed what the offence was for which Abdul Rasoul was imprisoned, and whether he is not entitled to some compensation for the illegal manner in which he was arrested and imprisoned for nine months in India without trial and without any accusation of any kind having been brought against him? I ask the right hon. Gentleman whether the Government are prepared to admit that the imprisonment of Abdul Rasoul was illegal, or what the accusation was upon which he was imprisoned?

Sir J. FERGUSSON: The hon. Member put the same questions some time ago, and they were answered by my right hon. Friend the Under Secretary.

Mr. CONYBEARE: I beg the right hon. Gentleman's pardon. My question has not been answered yet. What I want to know is what justification the Government had for kidnapping Abdul Rasoul and keeping him in prison without trial for nine months?

Sir J. FERGUSSON: I will read the answer of my right hon. Friend to which I referred:—

> "If Abdul Rasoul demands compensation, he should address himself in the first instance to the Government of India, and in the event of the Government refusing redress, he should appeal to the Secretary of State. The Secretary of State is not in possession of information to enable him to answer the question."

Mr. CONYBEARE: The Under Secretary promised some time ago to get the information. May I ask whether the Government have obtained it, and when it will be communicated to the House?

Sir J. FERGUSSON: That question does not arise out of the answer to the question on the Paper, and as I do not represent the Indian Department I decline to go into it.

FEVER IN MULL.

Dr. CAMERON (Glasgow, College): I beg to ask the Lord Advocate whether his attention has been called to a paragraph headed "Outbreak of fever in Mull," in the *Scotsman*, of April 6th, in which, after a description of the manner in which the relatives of a man, said to have died of typhus, were refused food, shelter, and the means of escape from the district, the following passage occurs:—

> "At last Craignure was reached, and one house, after a search, gave admission to the woman and girl, but the two men could find no shelter, and they seemed to have wandered about the entire night. Next morning the body of the hawker was seen lying in a sand-pit, death being due either to exposure or to the fever. Here again it was found impossible to get anyone to coffin the remains;"

whether it is true that an outbreak of typhus has occurred in Mull; and, if so, what steps have been taken by the Board of Supervision for the purpose of dealing with it; and whether it is true that a hawker was found dead "from exposure or fever," as described; and, if so, was any inquiry made, and by whom, and on what date, into the circumstances attending his death?

*The LORD ADVOCATE (Mr. J. P. B. Robertson, Bute): Several cases of typhus have occurred in the Island of Mull; but, so far as known, only one case has resulted fatally. The Board of Supervision have obtained a full Report from the County Medical Officer, and have called upon the Sanitary Inspectors who failed in their duty to state any reasons why the Board should not dismiss them from office. The facts about the death of a hawker appear to be substantially as stated in the *Scotsman*. His death, however, is attributed to exposure, and not to fever. No special inquiry seems to have been made into the death of the hawker. The Secretary for Scotland will call for a full Report from the Board of Supervision, and will also direct the attention of the County Council to the lamentable state of matters revealed by this case.

Dr. CAMERON: Was any inquiry made into the circumstances of the case?

*Mr. J. P. B. ROBERTSON: I understand that no special inquiry was made.

Dr. CAMERON: Will the right hon. Gentleman direct an inquiry to be made?

*Mr. J. P. B. ROBERTSON: The hon. Gentleman can hardly have heard the last part of my answer, namely, that "the Secretary for Scotland will call for a full Report from the Board of Supervision."

THE TUBERCULOSIS COMMISSION.

Mr. FURNESS (Hartlepool): I beg to ask the President of the Board of Agriculture whether his attention has been called to the hardship entailed upon butchers through the seizure, without compensation, of the carcases of animals infected with tuberculosis, evidence of which it is practically almost impossible to obtain until the animals are slaughtered; when he expects the Royal Commission on tuberculosis to Report; and whether the Government will consider the advisability of extending the provisions of "The Contagious Diseases (Animals) Act, 1878," and the amending Act of last Session, to tuberculosis, as far as compensation is concerned?

The PRESIDENT of the BOARD of AGRICULTURE (Mr. Chaplin, Lincolnshire, Sleaford): My attention has been called to the subject on more than one occasion. It is quite true that it was first introduced by the hon. Member for West Salford by a Motion in this House, and upon April 24th, 1890, a deputation on the question was received by the President of the Local Government Board and myself. A Royal Commission was subsequently appointed by my right hon. Friend to investigate the subject. I am unable to say when their labours are likely to be concluded, and, pending the issue of their Report, I do not contemplate extending the operation of the Contagious Diseases Acts in the direction desired. I sympathise sincerely with the hardships of the present position, so far as the butchers are concerned; but I may point out that the cases of pleuro-pneumonia and tuberculosis differ so greatly that, even if I took the course suggested, I am afraid it would not have the effect which is anticipated either by the hon. Member or by those whom he represents.

ROADS AND BRIDGES ACT.

Mr. REID (Dumfries, &c.): I beg to ask the Lord Advocate whether any power is given to the burgh Local Authorities in the Roads and Bridges Act to borrow money for the making and re-forming of footpaths within burghs; and whether the Commissioners of Police have power under the Rutherford Act, 13 and 14 Victoria, c. 33, to borrow money for those purposes and to assess for the same?

*Mr. J. P. B. ROBERTSON: The first part of the question must, I think, be answered in the negative. On the other hand, comparing the 210th and 340th sections of the Act 13 and 14th Victoria, cap. 33., the power in question seems to exist under that statute.

COLONISATION OF CROFTERS.

Mr. SETON-KARR (St. Helen's): I beg to ask the Lord Advocate whether it is proposed to continue the colonisation of crofters from the Highlands and Islands of Scotland to North West Canada, by sending out any more families this Spring or in the Spring of 1892; if so, by what date they will be sent; how many; and whether to the existing crofter settlements of Saltcoats and Killarney, or to some other district in the Dominion?

*Mr. J. P. B. ROBERTSON: The recommendations made by the Select Committee on Colonisation are at present receiving the consideration of Her Majesty's Government, but whatever their ultimate decision may be, it will not be possible for the Secretary for Scotland to make the arrangements contemplated by the hon. Member during this Spring as the season is already too far advanced for colonisation this year.

Mr. SETON-KARR: As to next Spring?

*Mr. J. P. B. ROBERTSON: I cannot say.

VOTES FOR ELECTION OF GUARDIANS.

Mr. MORTON (Peterborough): I beg to ask the Attorney General whether ratepayers whose rates are paid by their landlords have the right to vote in the election of Guardians of the poor?

The ATTORNEY GENERAL (Sir R. Webster, Isle of Wight): Provided that persons are rated, it does not matter whether their rates are, or are not, paid directly to the landlord, as far as the right to vote in the elections of Guardians is concerned. Their names must be on the rate books.

Mr. MORTON: Does the term "ratepayers" mean that the name is on the rate book?

Sir R. WEBSTER: Yes, Sir.

THE BUDGET.

Mr. J. MORLEY (Newcastle-upon-Tyne): May I ask whether the First Lord of the Treasury can now state when the Budget will be taken?

*The FIRST LORD of the TREASURY (Mr. W. H. Smith, Strand, Westminster): It will not be taken before Monday week, but I will give notice on Monday, or on Thursday at the latest, of the precise date on which it will be taken.

THE LABOUR COMMISSION.

*Mr. W. H. SMITH: I stated yesterday that I hoped to be able to make a statement with regard to the proposed Royal Commission on Labour Questions; and, as I received last night the sanction of Her Majesty to the Royal Commission, I now propose to read to the House first the terms of Reference and then the names of the Royal Commissioners approved by Her Majesty—

> "To inquire into the questions affecting the relations between employer and employed, the combinations of employers and of employed, and the conditions of labour, which have been raised during the recent trade disputes in the United Kingdom; and to report whether legislation can with advantage be directed to the remedy of any evils that may be disclosed; and, if so, in what manner."

The Marquess of Hartington, M.P., the Earl of Derby, K.G., Sir Michael Hicks Beach, M.P., Sir John Gorst, M.P., Mr. Mundella, M.P., Mr. L. Courtney, M.P., Mr. H. Fowler, M.P., Sir E. Harland, M.P. (Shipbuilder and Engineer), Mr. J. C. Bolton, M.P. (Chairman, Caledonian Railway), Mr. Gerald Balfour, M.P., Mr. Jesse Collings, M.P., Mr. T. Burt, M.P. (Secretary, Northumberland Miners' Association), Mr. W. Abraham, M.P. (South Wales Miners' Committee), Sir Frederick Pollock (Corpus Professor of Jurisprudence, Oxford), Professor Marshall (Professor of Political Economy, Cambridge), Sir W. Lewis (Manager of Bute Docks, Cardiff), Mr. T. H. Ismay Managing Director of White Star Steamship Company), Mr. David Dale (ironmaster), Mr. G. Livesey (Chairman of South Metropolitan Gas Company), Mr.

W. Tunstall (Cotton Manufacturer), Mr. J. Mawdsley (Amalgamated Association of Operative Cotton Spinners), Mr. Tom Mann (President of Dock Labourers' Union), Mr. Edward Trow (Secretary of Board of Conciliation of the Iron and Steel Trades), Mr. Henry Tait (Chairman of the United Trades Council, Glasgow), Mr. S. Plimsoll, Mr. Hewlett (Managing Director of Wigan Coal and Iron Company), and Mr. M. Austin (Secretary, Irish Democratic Labour Federation).

PRIVATE BILL PROCEDURE (SCOTLAND) [SALARIES, &c.]

Committee to consider of authorising the payment, out of moneys to be provided by Parliament, of any salaries, remuneration, and expenses, which may become payable under any Act of the present Session to amend the Procedure in regard to Private Bills relating to Scotland (Queen's Recommendation signified), upon Monday next.—(*Mr. Jackson.*)

THE LABOUR COMMISSION.

ADJOURNMENT OF THE HOUSE.

Mr. Justin M'Carthy, Member for Londonderry City, rose in his place, and asked leave to move the Adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, "the refusal of Her Majesty's Government to recommend the appointment of Mr. Michael Davitt as a member of the Royal Commission on Labour;" but the pleasure of the House not having been signified, Mr. Speaker called on those Members who supported the Motion to rise in their places, and less than 40 Members having accordingly risen, the House proceeded to the Business of the day.

MOTIONS.

SEA WARE, CROFTING COUNTIES (SCOTLAND) BILL.

On Motion of Mr. Fraser Mackintosh, Bill to encourage the industry of gathering and manufacturing Sea Ware within the Crofting Counties of Scotland, ordered to be brought in by Mr. Fraser Mackintosh, Mr. Chamberlain, Dr. Cameron, Colonel Malcolm, Dr. Macdonald, and Mr. Caldwell.

Bill presented, and read first time. [Bill 274.]

PUBLIC FOOTPATHS BILL.

On Motion of Mr. Jesse Collings, Bill for the preservation of Public Footpaths, ordered to be brought in by Mr. Jesse Collings, Mr. Llewellyn, Mr. Hobhouse, Sir Edward Birkbeck, and Mr. Taylor.

Bill presented, and read first time. [Bill 275.]

ORDERS OF THE DAY.

MIDDLESEX REGISTRY BILL.

(No. 265.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

(2.35.) Mr. T. M. HEALY (Longford, N.): This appears to be only a temporary provision, and I therefore object to the attempt of the Government to pass it in such haste. The Government were allowed by the courtesy of the House to go into Committee on the Bill last night, and we now find that the result of yielding to the Government upon a supposed non-contentious Bill at a late hour of the night is that measures of an urgent character are postponed in order that precedence may be given to this measure. I think the least we can expect is that the Bill should have been properly drawn, carefully considered, and fully adequate for the purpose, but we find that it is only a temporary measure.

(2.36.) The ATTORNEY GENERAL (Sir R. Webster, Isle of Wight): Perhaps I may be allowed to explain that the object of the Bill is merely to empower the Government not to fill up an office which it is not necessary to fill up. The late Lord Truro held the sinecure office of Registrar of Land Transfers in Middlesex for many years, and it is this office, which has now come to an end, which the Bill proposes to abolish, thus effecting a considerable economy. But in order to do that it is absolutely necessary that legislation should take place. If the Bill is not passed, persons who have transferred land would lack the protection of registration. The reason why the word "temporary" has been inserted is that in consequence of an Act passed two years ago the whole of the question of land registry is awaiting further legislation. The only object of bringing in this Bill is to protect persons who may transfer land and allow the transfers to be registered in the ordinary way. I may add that the Lord Chancellor already possesses the power to make a rule, so that it is purely a formal matter.

Mr. T. M. HEALY: Then what excessive mischief could arise to the State if this Bill is not pressed forward? No injury would be done to the State, but people who may have paid their money for land would not have the protection of registration.

*(2.37.) Mr. J. E. ELLIS (Nottingham, Rushcliffe): I should like to have a little further explanation. In the county in which I live we have a Land Registry, and therefore we are in the habit of paying certain fees when we purchase land, and it is duly transferred. I presume that the landowners of Middlesex are in the same position, and I want to know what the financial effect of this Bill will be. Will the fees in future be paid into the Exchequer?

(2.38.) The SECRETARY to the TREASURY (Mr. Jackson, Leeds, N.): I made a statement on this subject last night. The position of the matter is this. Under the arrangement which has hitherto existed one half of the surplus fees, after payment of expenses, went to Lord Truro as Registrar. There is under the statute not only a power to appoint a successor to Lord Truro, but also a power to the successor who may be appointed to appoint a deputy. The surplus fees amount to about £9,200 a year, of which £4,600 has gone to the Exchequer, while the other £4,600 went into the pocket of Lord Truro. It is now proposed, as the Attorney General has pointed out, that the work shall be continued to be done by the existing officers, and that the whole of the surplus fees shall go into the Exchequer.

*Mr. J. E. ELLIS: I am much obliged for the explanation, but these figures were not mentioned last night. That is just the kind of way of doing business which leads to difficulty and inconvenience sometimes in regard to the passing of a Bill. It is desirable, I think, when the Government attempt to hurry a Bill through the House after 12 o'clock at night that a full explanation should be given of its provisions.

(2.40.) Mr. SEXTON (Belfast, W.): The explanation given by the right hon. Gentleman may be satisfactory, but I think it would be more satisfactory if the way in which the money is to be disposed of appeared on the face of the Bill. As far as the Bill is concerned, the fees payable for the registration of land transfer may go anywhere. There is no security under the Bill that they will go to the State. I think there ought to be a special arrangement in the measure itself as to the disposal of the money, and I would, therefore, ask the Government to give some assurance on the matter.

(2.41.) Mr. PICKERSGILL (Bethnal Green, S.W.): The Attorney General spoke of the urgency of the Bill. May I ask whether there have been any memorials for registration since Lord Truro's death? I gather from the silence of the hon. and learned Gentleman that there have not been. Then how are the gentlemen protected who have been concerned in the transactions to which the Bill relates? He says that unless this Bill is passed immediately the persons interested in these transactions will suffer. I shall be glad if he will explain how the interests of those persons are protected who have presented memorials since the death of Lord Truro?

(2.42.) Sir R. WEBSTER: What I said was that the Bill provides for the fulfilment of an extremely important as well as statutory duty. I will not go into the question whether any memorials have been presented within the last few days or not. It is not necessary to insert words in this Bill to safeguard the interests of those who have presented memorials, but the object of the measure is simply and solely to enable Her Majesty not to fill up the appointment rendered vacant by the death of Lord Truro. If an appointment is made, the officer appointed could appoint a deputy and get the fees.

(2.43.) Mr. SEXTON: The hon. and learned Gentleman has not answered the question at all. What is the objection to stating on the face of the Bill what is to be the use and destination of the money hereafter?

Sir R. WEBSTER: Lord Truro received one-half of the surplus fees during his life time, and unless some one is appointed to fill up the vacant office the fees will go into the Treasury. If it is found necessary to insert words in the direction suggested by the hon. Member it could be done in another place.

Mr. S. T. EVANS (Glamorgan, Mid): I put a question last night to the Secretary to the Treasury in regard to this Bill, and my recollection is that he only made a general statement to the effect that it would secure economy. It now appears to be a much more important Bill than was imagined. There is nothing on the face of the Bill to show what the powers of the registrar or masters are, and there has been no time to consult the statutes in order to ascertain what those powers are. I wish the Government to let the Committee know distinctly what economy the proposed change will effect. It appears from the explanation of the Secretary to the Treasury that the sum of £4,600 a year went into the pocket of Lord Truro, but it does not point out whether anything will in future be paid to the officers of the Land Registry in addition to the salaries they now get. Nor are we told what is to become of the vacant office, except parenthetically by the Attorney General, that it will not be filled up, but the fees will go into the Treasury. Anything that is calculated to effect economy will have full support on this side of the House. ["Hear, hear!" *from the Ministerial Benches.*] I am glad to hear that cheer, and to find that there is as strong a desire for economy on the other side of the House as upon this. What I wish to know is whether the Land Registry is to benefit from the abolition of the office. It has not had much to do hitherto, and I would ask whether an increased expenditure in connection with the office is contemplated. In that case I think we are entitled to know distinctly what economy the Bill will effect.

(2.45.) Mr. LABOUCHERE (Northampton): I think I can explain the ground of the last appointment. The appointment was in the hands of the Lord Chancellor, and a son of the Lord Chancellor got it. ["No," *from the Treasury Bench.*] At any rate the Lord Chancellor had a voice in the matter. There are three fees paid; one for registering the sale of land; another for registering a mortgage, and another for inquiries. All these fees went into the pocket of Lord Truro. What I particularly complain of in the matter is that the inhabitants of Middlesex are to be called upon to pay greater or heavier fees than would meet the cost of the office, the benefit of which is to go to the Treasury. I claim that the fees charged should be so estimated that they would only pay expenses, and seeing how unsatisfactorily the business has been done in the past, I hope a thorough investigation will be made into the office, and that some better arrangement will be made for the future. Complaints have been made for years of the surplus fees which went into Lord Truro's pocket, and now the Government seem to think it right that the Treasury should inherit those fees. Not only are exorbitant fees paid, but when there is a mortgage on the property transferred extra fees have to be paid, and in addition there is an exceedingly bad index kept. So far as the late Lord Truro was concerned the office was an absolute sinecure, the whole of the work being done by subordinates.

(2.50.) Mr. CONYBEARE (Cornwall, Camborne): I wish to call attention to the fact that no reference is made in the Bill either to the old arrangement or any proposed new arrangement. I claim that a more definite explanation of the arrangement made ought to be given by the Government, and that more time should be allowed to hon. Members to consider the matter. My main objection to the Bill, however, is of a general character. It may be impossible to so amend the Bill as to make the system of registration compulsory throughout the country, but I believe that is the only reasonable course which can be taken. If registration is good for Middlesex, it is equally good for the whole country, and I object to this partial and piecemeal kind of legislation.

(2.55.) Mr. T. M. HEALY: I must remind the Committee that my hon. Friend the Member for Belfast (Mr. Sexton) has already pointed out that it has not been made clear that the alleged economy to be effected by this Bill will be appropriated in the manner intended. However that may be, I agree with the hon. Member for Northampton (Mr. Labouchere) in contending that there is no reason why the Imperial Exchequer should make a profit out of a local land registry; but it has not been made clear how the money, or really what amount of money, will go into the Exchequer under the Bill. I believe, however, that the Government would do well to defer the consideration of the measure, which was only circulated yesterday, especially as the persons who have to resort to this office would not be damnified by a short delay. The haste of the Government in the matter and the communications that have been going on between the two front Benches seem to me to be very suspicious. Whenever we see past and present Ministers combining together to get the Speaker out of the Chair, I think we ought to have our suspicions aroused. We all know that hitherto one-half of the fees have been pocketed by a descendant of Lord Truro. Who are the other Registrars? Are they noble Lords also? When we find the Government bringing in a Bill of this kind to the confusion of their supporters, and the First Lord of the Treasury throwing up his hands in despair at any idea of opposition, we ought to insist upon a full and complete explanation. If the Bill is seriously intended, the schedules should be so drawn as to show that the money will go into the Exchequer.

*Mr. H. H. FOWLER (Wolverhampton, E.): Referring to a remark of the hon. Member for North Longford (Mr. T. M. Healy) about the two Front Benches conferring together, I may say that I remember when I was a young Member of the House, the present Chief Secretary for Ireland giving me a lesson in procedure. The right hon. Gentleman told me that whenever I saw the two Front Benches agreeing, I might come to the conclusion that there was some mischief on foot. But I may remind the hon. Member for North Longford that every question that comes before that House is not a Party question. There are great and important questions of finance and administration altogether outside Party considerations, and I am perfectly sure that both sides recognise the wisdom at times of carrying out important works of public good and public economy by concerted action between the Party Leaders. I may point out that the salary connected with this office being on the Votes, the hon. Member for Northampton will have the opportunity, on the Vote for the Land Registry Office, of raising the whole question of the cost of the office. But this is not the time to raise that question.

In the same way, with regard to the hon. Member for Camborne's (Mr. Conybeare) suggestions as to the compulsory registration of titles, this is not a Registration of Title Bill, but a Registrar's Fees Bill, and the two things are very different, Here is an office which, under existing legislation, has the right to levy certain fees. For a considerable number of years one half of those fees have gone into the public purse, and the other half into the pockets of the private sinecurist. This is a Bill to terminate the private sinecurist, and to provide that the whole of the fees shall in future go into the public purse. It has been asked, Why the hurry in this matter? The hurry is £5,000 a year. What would my hon. Friend below the Gangway say if in the present week this sinecure place were filled up, and a vested right created which could not be abolished without large compensation. I ask the House of Commons to rise above all Party feelings in a matter of this sort, for I see great danger of this opportunity of effecting a real saving of £5,000 a year being lost if the House does not proceed rapidly to the passing of the Bill.

(3.5.) Mr. E. ROBERTSON (Dundee): By this Bill certain important duties are transferred. May I ask whether the Registrar will derive any additional emoluments under the Bill?

Mr. JACKSON: I thought I had explained that matter last night. The position is this: There were originally three of these Registers, as they were called, in the Act of Parliament, and after paying the expenses of the office the surplus fees were divided among the three. One of the offices lapsed and the fees were then divided between the remaining two. Another died, and the Lord Chancellor, with whom the appointment rested, appointed the Queen's Remembrancer, on the condition that the fees to which he was nominally entitled were paid into the Exchequer. Another vacancy having arisen it is not proposed to make a fresh appointment, but to pay the whole of the surplus fees into the Exchequer. The question of increasing existing salaries has never been considered. If application were made for another £100 a year in respect of extra duties, I do not want to shut myself out from considering it, but no change in that direction is contemplated, so far as the Bill is concerned; the fees must go into the Exchequer under the new arrangement.

(3.10.) Mr. SEXTON: After the statement of the right hon. Gentleman I hope the Government will see no objection to put an end to all doubt upon the subject by declaring in terms in the Bill that all fees or additional fees received under the powers now given shall be paid into the Exchequer. There may be some arrangement which does not appear in the Bill, and we ask that the intentions of the Government shall be placed beyond all doubt by being embodied in the Act.

*(3.11.) The FIRST LORD of the TREASURY (Mr. W. H. Smith, Strand, Westminster): I trust the hon. Member will be satisfied with the assurance that the Bill carries out the intention he desires, but it would be decidedly injurious to the public interest to introduce such a provision in the Bill, because if the arrangements were to become stereotyped, then it might not be possible to attempt any reduction upon the Votes, as has been foreshadowed by the right hon. Member opposite (Mr. H. H. Fowler). The Bill is the *bonâ fide* outcome of a desire on the part of the Government to effect a great public economy by transferring these fees to the Exchequer. The Government say, upon their responsibility, that the measure accomplishes that purpose fairly and fully, and, having made that statement, I must leave to the House the responsibility of proceeding with the measure or not.

Mr. CONYBEARE: Will the Government recite in the Bill the arrangement proposed?

*Mr. W. H. SMITH: No, no.

Mr. CONYBEARE: Then I think we had better report Progress.

Mr. COBB (Warwick, S.E., Rugby): Perhaps the Financial Secretary will not mind my asking a *bonâ fide* question—namely, whether we may take it as absolutely understood that the rules which the Lord Chancellor has power to make in the first Section of the Bill relate solely to procedure, and will have nothing whatever to do with salaries or fees?

Mr. JACKSON: Oh, certainly.

Mr. T. M. HEALY: If it was possible for the Lord Chancellor to appoint the Queen's Remembrancer on a former occasion there is nothing in this Bill to prevent anybody else being appointed now.

*Mr. W. H. SMITH: The appointment does not rest with the Government or with the Officers of the Government. It rests with a person wholly independent of the Government.

Mr. T. M. HEALY: Who is he?

The question was not answered.

Clause agreed to.

Clause 2 agreed to.

Bill reported without Amendment.

*(3.15.) Mr. W. H. SMITH: I trust that the House will now allow the Bill to be read the third time.

Motion made, and Question proposed, "That the Bill be now read the third time."

Mr. T. M. HEALY: Now that we have granted the passing of this Bill I desire to explain the true inwardness of the position of the Government in this matter. Formerly the appointment to this office was vested at one moment in the Lord Chancellor, and in another in the Lord Chief Justice of England. The Lord Chief Justice at the present moment is a Liberal; the Lord Chancellor is a Tory. Had the office remained in the gift of the Lord Chancellor, he would have been allowed to job it away. But, as the office will now be in the gift of Lord Coleridge, a Liberal, and, therefore, one to whom Her Majesty's Government are inimical, this Bill is brought in and extreme pressure put upon the House by the Tory economists to pass it after 12 o'clock at night, all in order to take a piece of patronage out of the hands of Lord Coleridge. And this Bill has to-day been put in the front of the *pièce de résistance* of the Government, the Irish Land Bill, so important is it to prevent a Liberal Judge from having a piece of patronage. We all know that jobbery exists in various holes and corners of this Kingdom, but if there is any office that requires remodelling, refreshing, cleansing, and purifying, it is the patronage in the hands of the Lord Chancellor. No hurry is ever shown when an office falls vacant that is in the patronage of the Lord Chancellor. The only desire is to fill it up if it happens to be a sinecure. On the present occasion I have to congratulate Her Majesty's Government on their splendid zeal for economy, because the patronage happens to be in the hands of Lord Chief Justice Coleridge. That is the sole explanation of this Bill. I have tried to get out of the Government what their wonderful afflatus was, but having failed, it only remained for me to bell the cat.

*(3.18.) **Mr. W. H. SMITH**: I desire to mention, with reference to the remarks of the hon. and learned Member with regard to the Lord Chancellor, that when the vacancy fell to him to fill up, he appointed the Queen's Remembrancer, on the condition that the fees were paid into the Exchequer.

Question put, and agreed to.

Bill read the third time, and passed.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.

(No. 111.)

Considered in Committee.

(In the Committee.)

Clause 1.

Amendment proposed, in page 1, line 7, to leave out the words "the Land Purchase Acts after the commencement of."—(*Mr. Conybeare.*)

Question proposed, "That the words 'the Land Purchase Acts' stand part of the Clause."

Mr. CONYBEARE (Cornwall, Camborne): I am satisfied with the Debate which occurred last night. I understand that the Chief Secretary has undertaken to make some alteration of the Bill.

(3.19.) **The CHIEF SECRETARY for IRELAND** (Mr. A. J. Balfour, Manchester, E.): I wish to point out, with regard to the Amendment moved last night by the hon. Member for Camborne, that the hon. Member for Longford had suggested that it would be an improvement if we allowed the £900,000, or so, out of the £10,000,000 originally granted under the Ashbourne Act to be allocated under this Act. That is not a matter with regard to which the Government has a strong opinion one way or another. I think it would be better to have one system of land purchase in Ireland, but I have no objection to the Amendment. However, the proper way would be to omit "for the purpose of such prior proceedings." If the hon. Member will withdraw the Amendment I will at the proper time move the omission of these words.

Mr. CONYBEARE: I am quite willing to withdraw the Amendment.

Amendment, by leave, withdrawn.

Mr. E. ROBERTSON (Dundee): I have placed on the Paper an Amendment to this effect: In line 1, Sub-section 1, after the word "Acts" to insert "as amended by this Act."

Mr. A. J. BALFOUR: I accept the Amendment.

Amendment proposed, in Sub-section 1, after "Acts" insert "as amended by this Act."—(*Mr. E. Robertson.*)

Amendment agreed to.

Amendment proposed, in page 1, line 8, to omit the words "for the purpose of such prior proceeding."—(*Mr. A. J. Balfour.*)

Question, "That the words proposed to be left out stand part of the Clause," put, and negatived.

(3.24.) **Mr. LABOUCHERE** (Northampton): I have now to move to omit from line 10 in the clause the word "guaranteed." This is an important Amendment, because if it is accepted there will unquestionably have to be a considerable change in the Bill in regard to the mode of procedure. I object to a Guaranteed Stock, because I believe that the responsibility of the country should not be nominal, but real, and at the last election the country decided against incurring any liability for the objects of this Bill. I do not think those objects are such as to justify us in throwing more responsibility on the taxpayers. There is, in the Bill, both a *suppressio veri* and a *suggestio falsi*; and the Government try to persuade the unfortunate taxpayer that he will incur no liability. If we assume that estates of the value of £150,000,000 are to be sold, we may take it that, before getting back our Sinking Fund in full, at least a century will elapse. From whom do we buy these estates? We buy them from the Irish landlord for cash. To whom do we sell them? We sell the estates to the present tenants. Many of these tenants have very small holdings, and Sir James Caird says there is no economic rent in these small holdings. We should thus come into the legal right to extort what ought not to be extorted. The Chief Secretary says there would be a margin, but that depends on whether the price of produce would be maintained. Who can guarantee that the price of produce will not fall during the next century? In all probability it will fall. We know that there has been a heavy fall in the price of produce during the last 20 years. While the purchase of land will be regarded by business men as a bad investment in Ireland, there are special reasons why it might be regarded as a bad speculation. In Ireland there are a large number of properties supposed to be worth millions, which are now in the Encumbered Estate Court or in Chancery, and cannot find purchasers. Only two years ago the Land Commissioners reported that 15 years was too long a term to grant without a revision of rent owing to the rise and fall in the price of produce. If these properties had been bought in 20 years ago, the purchasers would have been told that their security was perfectly safe, and yet we now know that the loss would have been very considerable. We may, therefore, fairly say that it is problematical that in the next 20 years there may not be a fall equivalent to that which has taken place within the last 20 years. Whilst the purchase of land in England would be regarded by business men as a bad or questionable investment, in Ireland there are special reasons why it would be regarded as a bad speculation. Rent in Ireland has not the sanctity of property which rent elsewhere has. There is a feeling—I do not say whether it is right or wrong—against rent in Ireland. Landlords in Ireland are not popular. Does anyone suppose this feeling will diminish? Does anyone suppose that landlords will be more popular when England is made the landlord in many cases? Common sense tells us the reverse will be the case. It tells us rent will soon be called Land Tax or tribute paid to an alien Government. Last year the Chief Secretary told us we were entirely mistaken in supposing there would be any opposition to the payment of this tribute or annuity, because no one had protested under the Ashbourne Act. But we find there are numerous protests against that Act. There are many persons unwilling or unable to pay rent, and who ask for a reduction of the annuity. You may take it that although the tenants may possibly be able to pay their rents, there will be what I may term a political strike against rent. That assuredly is possible, and I think it exceedingly probable. It is absolutely impossible to meet this by eviction. You cannot, for a moment, think of evicting hundreds of thousands of persons because they do not choose to pay their rent. I have here a statement by a right hon. Gentlemen who, with hon. Gentlemen opposite, is a great authority upon this matter, I allude to the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain). Speakin Scotland he said—

> "Working men of England and Scotland, you will be Irish landlords; you will have to evict the tenants; you will have to collect your rent at the point of the bayonet, and I refuse to be a party to such contingencies."

What does the right hon. Gentleman say now? Is he not a party to such contingencies? These contingent securities cannot be impounded until evictions have taken place; therefore, evictions are the first things that will have to take place. Suppose the right hon. Gentleman overcomes his refusal to be a party to these contingencies, where are we to get buyers? Who in the name of wonder would buy these holdings? At present when a man is evicted you have the greatest difficulty to induce anyone else to take the farms owing to the strength of public opinion which is brought to bear against the persons who take evicted farms. Unquestionably that difficulty would be very greatly increased if evictions were to take place at the instance of the British Government. But the Bill suggests you should farm these farms yourselves. Can anything be more ridiculous? Practically, all we have for the repayment by the tenants is their goodwill. They will decide in their own consciences whether they will pay or not. No doubt you will find a very large number of persons who in some place or other will decide they will not pay. I have here also the opinions of other eminent men. What does Lord Selborne say? He considers the tenants would not pay rent, and he proves satisfactorily to himself and to me that Solomon was of the same opinion. He says—

> "I know very well that Mr. Gladstone has persuaded himself that, if this immense accession is made to the National Debt, we may rely on the Irish re-paying. Now, I have authority even higher than Mr. Gladstone's for warning you against suretyships, even for a less amount. In a certain Book of Proverbs it is said, 'He that is surety for a stranger shall smart for it, and he that hateth suretyship is sure.' Look at the party from whom repayment is expected in this case. I feel sure that if the country enters into these transactions it must expect to pay."

So much for Lord Selborne, backed up by Solomon. The noble Lord the Member for Rossendale (the Marquess of Hartington) said—

> "The first effect will be that the tribute asked from Ireland will be unpaid. It would be idle to think of exacting tribute, or the interest on any loans you may advance to a starving peasantry or to the unemployed artisans of once flourishing communities."

The right hon. Member for West Birmingham, addressing some people somewhere, said—

> "Yes, and you were to take the risk, which at the beginning was to be £50,000,000, and which very soon would have been £200,000,000, and you were to take that on a security on which I venture to say no private individual and no Financial Company would have advanced one farthing."

It is said we do not advance more than £30,000,000. Personally, I think we involve ourselves in the necessity, if we agree to this grant, of advancing a very much greater sum. I put the minimum at £150,000,000. The right hon. Gentleman the Member for Mid Lothian limited in his Bill the liability to £50,000,000, and then hon. Gentlemen opposite said we should be forced to advance £200,000,000 or £250,000,000. The same arguments which went to show that if you advanced under the right hon. Gentleman's Bill £50,000,000 you would have to advance a larger sum, go to show that if you advance £30,000,000 at present you will have to advance a larger sum, only they are considerably stronger now than they were then. We do not select estates. It is the first come, first served. This is proved by what took place under the Ashbourne Act. Under that Act the Duke of Abercorn received £267,000, and the Duke of Leinster received £244,000. I do not say they were in any way bad landlords, but they applied first and they got the money. What will be the result of the operation of this Bill? We shall have two classes of tenants in Ireland. The first class will be what I may term the tenants of the State. They will pay lower rent than the other tenants, and will at the end of 49 years obtain their holdings. The other class will be the tenants of private individuals. They will pay a higher rent than the tenants of the State, and at the end of 49 years they will not get their holdings. It seems to me obvious that this will create such agitation and confusion that the only way out of the difficulty will be to buy all the land of Ireland. But the Bill only deals with £30,000,000, and it is asserted that if the tenants do not pay, we are to secure repayment from other sources. I admire the ability of the Chancellor of the Exchequer in trying to make a really good financial omelette out of rotten eggs, as I shall show the other securities to be. The first of the other securities is that we retain one-fifth of the purchase money in our hands. This would undoubtedly be a cover so far as one-fifth is concerned if we were to give the real value of the estate, but as a matter of fact we begin by giving about one-fifth more than the value of the estate. The Chief Secretary said we buy on a certain number of years' purchase on the net value. We do not buy on the net value, we buy on the gross value, less the local contributions of the landlord. No allowance of any sort or kind is made for expenses of management, local charges, cost of eviction, or other incidentals. This one-fifth is perfectly illusory. We are told the British taxpayer is absolutely and entirely protected from any chance of having to pay. We collect £1,169,000 from Ireland every year by way of Imperial taxation. This, capitalised, amounts to £29,717,000, which it is proposed to advance in these guaranteed bonds. It is said, therefore, that the British taxpayer is secure by holding this money in his hand even if the tenants or annuitants do not pay. That is very pretty in theory, but let us look at the fact. The £1,169,000 is made up of a considerable number of items. In the Return which is furnished to us of the amount of each item, the first class of items is called the cash portion of the guarantee fund. That amount is not in any way allocated at the present moment to any particular service. That amounts to £293,000 per annum. I think the Government might have added £40,000 or £35,000, the Customs portion. I admit this is absolute cover, so far as it goes, although it is doubtful whether we could really refuse to give it to Ireland, and whether, if we did refuse to give it as now, we should not be called upon to give it to Ireland in some other shape or form—in meal, or malt, or something else. If I add £35,000 to the £293,000, it gives us £328,000. The capitalisation of this sum is £8,025,000. Therefore, we have to find somewhere else £841,924 in order to make the capitalisation up to £29,717,000. How is this done? And here comes in the ingenuity of the Chancellor of the Exchequer. The right hon. Gentleman takes the Imperial contributions to local charges—to the maintenance of lunatics in workhouses, the salaries to workhouse schoolmasters, allowances to medical officers, and payments for medicine for dispensaries and medical appliances. I assert this expenditure could not be withheld. It is absolutely necessary for the future of civil society. It is absurd to say we could allow the lunatics to go at large. We could not refuse to pay schoolmasters and others in Ireland because a number of tenants—our tenants—had refused to pay us their rents. If the counties did not meet this expenditure you would have to meet it. The State pays a portion of the charge for the police of London. Does anyone say that we might mortgage that portion and go without the police? What have these unfortunate lunatics, these schoolmasters, these paupers specially to do with the fact that the Imperial Parliament takes upon itself to enter into these transactions? Are you to say to a lunatic: "I will turn you loose if a tenant in Tipperary does not pay me"; are you to say to an unfortunate schoolmaster: "Go; you shall not have your salary;" are you to say to the pauper: "You shall starve because I cannot get some money from the tenant?" The real amount of cover from Ireland is £328,000, which capitalised will make £8,025,000. That leaves £21,691,000 absolutely uncovered. The Government have another plan for getting back our money, although, if their former plan were good they would not trouble themselves to provide other securities. They propose, if the money is not paid by the tenants, that the Lord Lieutenant shall be empowered to issue a precept to any defaulting county to make up by means of a rate the amount due. If the default is owing to distress, how can we get the rate any more than the rent? The same may be said in the case of a political strike. If the people should say, "We are not going to pay the rent," are they likely to recognise their obligation to pay the rate? Then I ask what does the grocer in Tipperary gain from your giving credit to the Tipperary farmer? Yet you say, "If the Tipperary farmer does not pay you come down on the Tipperary grocer." You do not intend to obtain the consent of the county to levy this local rate or to enter into these transactions. You impose these transactions on the the county and, having done so, if the individual does not pay you call on the whole county to pay. Yet this is the Government which, during the last few years, has been prating about introducing a grand scheme of local self-government for Ireland. I think one thing seems to be forgotten. Before you can impound any of the local money, or levy any rates, you must exhaust all possible means of getting the money from the particular individual who owes it to you, that is to say you must proceed by eviction. We have the statement of the right hon. Member for West Birmingham (Mr. J. Chamberlain) that he never will assent to the contingency of eviction, and, therefore, he never will assent to our obtaining our money in any other way, because eviction must be the primary step. But allowing that the £30,000,000 are amply covered by the securities, I think that a fatal mistake has been made in the calculations. As the money comes in we are to reinvest it in fresh purchases. New credits are to be opened before the old are extinguished. The consequence is that there is an overlapping. What will happen in the fortieth year? The State will in that year have £1,169,000 covered, but it will in that year lose about £2,250,000, and therefore will be above £1,000,000 short. Assuming the Chancellor of the Exchequer to be perfectly right, we shall not be protected so far; because, instead of investing the money in Consols, we are to invest it in other securities risky in themselves. The right hon. Member for West Birmingham has said that if we could show that the securities were not covered he would be an inconsistent person. I have shown it. Now, what advantage, social or political, is to be derived from this purchase of land, which outweighs the risk? In 1881 an Act was passed creating dual ownership in Ireland. That was regarded as a perfect panacea for all the ills of Ireland; but now we are told that it is so unjust and injurious a measure that we ought to risk £30,000,000 to get rid of it. What is this dual ownership? I take it as simply meaning fixity of tenure and fair rent. If the rent is not fair let it be made fair. You have laid it down that a fair rent is the margin that remains after the tenant is allowed to live and thrive. You based your legislation of 1881 on the landlord being only allowed to exact a fair rent. If the rent is unfair then reduce it. But if the rent is fair, why change it; why not leave it as it is? I see no earthly reason why the taxpayers should pay in order to convert these exceedingly fortunate tenants into freeholders—they are much better off than English agricultural occupiers, and why, because they are better off, are they to be converted into owners at the risk of the British taxpayers? Now, here in London we have dual ownership, we have heavy ground rents, and very few people are able to get freeholds; the people of London pay excessive rents and they are badly lodged owing to the high price of land resulting from this system of dual ownership. We have long complained of this, and we have urged reform, but we have never come to the State for assistance. When the Londoners ask for the enfranchisement of leaseholds they do not ask the State to lend them the money for 49 years, they say they are willing to pay for this; and if people in Ireland want to be freeholders why should they not pay for it? Why are we in London to incur the cost of making the Irish tenants freeholders? Let them in Ireland as in London, if they want to become freeholders, pay for it themselves and not come sponging on the State for credit and assistance. Further, why should it be for agricultural tenants only that State aid in this direction should be invoked? There are plenty of manufacturers and traders who, if they could obtain capital at 2¾ per cent., with 49 years given to pay the principal, would be able greatly to benefit themselves and to give a share of the benefits to their *employés* under them. There is a name I can mention which will command respect on both sides of the House—the late Mr. John Bright. What does he say on this question of dual ownership in Ireland? Mr. Bright, writing to Lord Kilmorey in 1887, said—

> "The Land Act of 1881 and the Land Courts have given 15 years leases to the tenants at a rent fixed by the Courts during the period of 15 years. To me there seems no reason why, under those leases, landlord and tenant should not live in as much harmony as they have lived in past times under ordinary leases in Ireland, and as they live now in Great Britain. I do not agree with those who are saying so much about the dual ownership, as if there is great importance in that phrase."

Well, I do not see why tenants should not be left to this dual ownership. It is somewhat curious that hon. Gentlemen opposite and Liberal Unionists should be now so anxious for the extinction of landlords in Ireland, that they should consider they have a sort of function of a political St. Patrick to drive out landlords from Ireland, as if they were so many snakes. When the right hon. Gentleman the Member for Mid Lothian made a proposal of this kind all those gentlemen denounced it as a perfect monstrosity. Lord Salisbury said—

> "If the money is to be spent, for Heaven's sake let it be spent in a common-sense way, not spent in a fantastic scheme which never, in the experience of the human race, has been attempted before. I can show the Prime Minister a better way of spending the money than in buying the landlords out. I do not say I recommend it, because I am not at all convinced that the electors of Great Britain ought to bear such a tremendous burden; but, assuming that the Government is right in thinking that they ought to bear it, I would point out to them that if they could only emigrate another million of the Irish people, they might do it for a great deal less than that sum."

Again, speaking to an assembly of Primrose dames and knights, on the same date, Lord Salisbury said—

> "Buying out landlords for the purpose of evading the duty of protecting them would be a cowardly shirking of our responsibility."

What did the President of the Board of Trade say speaking to his constituents at Bristol?—

> "If a large liability is to be incurred for Ireland by this country, it would be better spent in promoting emigration rather than in that wild scheme of buying out the Irish landlords which Mr. Gladstone proposes."

In a manifesto of Liberal Unionists at Liverpool, signed by Lord Derby, the measure of the right hon. Gentleman the Member for Mid Lothian was thus described—

> "A measure bad in itself, likely to be disastrous to Ireland and injurious to Great Britain, pregnant with danger of future strife and collision, and involving the expenditure of many millions of the hard-earned money of the taxpayer."

What did the Chancellor of the Exchequer say? Upon finance I may say I am a disciple of the right hon. Gentleman, and I treasure up everything he says. Speaking in Scotland the right hon. Gentleman said—

> "You are going to expropriate and expatriate the whole of the landlords in Ireland to other parts of the United Kingdom. You are leaving Ireland to fight her way alone with this burden on her, having removed from the country most of those who might contribute to her support."

Does the right hon. Gentleman say "Hear, hear" to that? [Mr. GOSCHEN: Hear, hear!] Very well. The Duke of Rutland, too, was very indignant with the right hon. Gentleman the Member for Mid Lothian for bringing in the measure. Speaking at Hatfield he said—

> "Part of the scheme of the Government was the expropriation of the existing landlords of Ireland. What class was it that maintained the large section of the Irish people, the day labourers, the grooms, the gardeners, the men-servants and the maid-servants, the vast body of people who could not be reckoned either as landlords, tenants, or manufacturers? Why it was the landlords of Ireland, whom it was proposed to exile from their native land. These people would have to emigrate to England, and the English labourer and artisan would find additional Irish competition not only beating down their wages but rendering it impossible for wages to be sustained or increased."

Well, I do not find myself able to agree with all the Duke of Rutland has said, but I am inclined to agree with him here. If you remove the rents and the landlords it would be beneficial, but if you remove the landlords and substitute a great absentee landlord in the State, if you carry away the rents to another country, then I think the Duke of Rutland is entirely right and that you do harm by spending money in this way. We have in this country a large revenue derived from land, especially in rents, and imagine what this country would suffer if all these rents were paid into France and withdrawn from this country. But in Ireland the case is much stronger. Here we have other industries than that of agriculture, but agriculture is practically the only industry in Ireland, and yet you lightly say you are going to take away the rents arising out of this industry, and that you will benefit the country by so doing. I say the money we are asked to vote now will be wasted, and that for all the good it will do you might just as well convert it into bullion and cast it into the sea. The Government will not effect their own purpose by this measure. Their object is to do away with dual ownership in Ireland; but there will still be dual ownership between the State and the tenants. They will establish in place of the dual ownership between the tenants and the landlords, some of whom are resident, a dual ownership between the tenants and the non-spending State, and this is to go on for 49 years. What happens at the end of that term I do not care, and I do not know that anyone does. As practical men we must look a little closer to the immediate future than that. Then, again if you convert the tenant into owner he may and no doubt will sell or let. You cannot prevent it by legislation, you cannot make the people *adscriptus glebæ*, a sort of caste as in India—an agricultural caste, and say, "You were born on this land, you must remain on this land, and throughout your life you must continue to cultivate this spot of land." Who really does benefit by all this outlay? Do the landlords? Some undoubtedly do. Some landlords will sell well. They will pocket their money and go somewhere else to enjoy it. But many landlords do not wish to do that. What will their position be?—for instance, I take the case of the hon. and gallant Member for Armagh (Colonel Saunderson). I believe he is a landlord who deals fairly with his tenants, and he probably wishes to remain in Ireland. Look at the unfortunate position in which he will be placed. I think it ought to induce him to come to our assistance in our endeavour to do away with this guarantee. He is on good terms with his tenants, and they pay only fair rents. But neighbouring tenants are suddenly enabled, by the use of British credit, to pay less rent and to take possession of their holdings at the end of 49 years. Will he not thus be placed in a false position? Will he not find himself at feud with his tenants from whom he demands nothing but a fair rent, or will he not have to reduce his rents below that which is fair simply because others around have had their rents reduced by the assistance of the State? I appeal to hon. Gentlemen opposite, for the sake of the hon. and gallant Gentleman in his position as a fair landlord, to pause before they assent to the scheme of the Government. Do the tenants profit in any way? I do not think they will if they keep faith. They will have to pay a fixed amount for 49 years. I would rather pay on a sliding scale with a revision every 15 years than pay a fixed amount in 49 years. It may be a good bargain or a bad one. I can conceive it being such a bad bargain that they could not pay; but as they have not the remotest intention to pay and as they know that it is the British taxpayer who will have to pay, in that sense they will make a good bargain for themselves. Will Ireland be benefited? I have pointed out the effect of the absenteeism proposed to be created. Will the relations between the two countries be improved? Surely not. When we become the owners of the land in Ireland we shall inherit all the ill-feeling engendered by centuries of injustice, and be hated as landlords of the country. Who, then, will get the benefit? Some landlords will, and the tenants will if they do not pay; but the real persons who will gain will be our friends in the City here—the mortgagees. Companies have advanced enormous sums on estates in Ireland, for while in England they get 4 per cent. they get 5 per cent. in Ireland, and there is the natural result of high interest and bad security. These companies cannot foreclose; they cannot get their interest, and they are delighted with the Bill because it will enable them to be paid in full. The mortgagees will be the beneficiaries. How are the Irish Members going to vote? My impression is that they are going to vote for the guarantee because they regard the money as a gift. As sensible men, they know that much nonsense is talked about security, but that nobody in Ireland dreams of paying a halfpenny. A few months ago, I read a speech of Lord Salisbury's, in which he urged as a reason why this Bill should be passed that it would render Home Rule impossible. Irish Members are therefore selling their birthright for a mess of pottage, and a rotten mess of pottage it is, too. Still, with us Home Rule is a principle, and, come what may, we still remain Home Rulers. There is Home Rule and Home Rule, and by aiding the Government to pass this Bill Irish Members are making it somewhat difficult for Radicals to give them that very large measure of Home Rule which they desire. Control over the land of Ireland is a portion of the measure of Home Rule which should be given to Ireland; but the electors will say, "It is not Irishmen's land, it is our land. The Irishmen have bargained it away for our money, and we must look after that land, and exercise some sort of control over it. We may be base and bloody Saxons, but we are mortgagees; we have our rights, and must look after them." It is suggested that the Bill may remove a difficulty, that if they get hold of the land the Tories will perhaps agree to allow the Irish to exercise control; but the Tories will do nothing of the sort. On the contrary, they will use the fact of this money being advanced as an argument against giving the Irish control over the land. It may be said, some Liberals do not go so far as others as to the amount of control to be granted, and that if the Bill passes we shall become a happy family in this matter. Well, I do not see how the difficulty that exists is to be removed by the Bill. There can be no absolute finality in legislation on land. Whether you pass this Bill or not you must place the control over land with an English or an Irish Parliament, and the difficulty will exist whether you pass the Bill or not. Personally I could never understand how any one calling himself a Liberal, much less a Radical, can hesitate for a moment to give the Irish full control over the land. I do not understand the distinction between property in land and anything else. I can understand the opposition to Home Rule; but that anybody in favour of Home Rule should say we will give the Irish Parliament full power to deal with manufacturers and other property, but reserve to the English Parliament the right of control over land, seems to me absolutely illogical. It may be asked why are we so indignant at this guarantee, particularly as the Liberal Government brought in a Bill with a similar sort of guarantee. Well, that does not concern me, for I voted against it, and undoubtedly of the two Bills that was the better. The annuities were to be paid from the Irish Exchequer, and if we had an Irish Parliament the Irish Local Authorities would act as a buffer between us and the actual tenants. But the real point is this, that it is no use going back to that; we must recognise the fact that at the last General Election the people declared against any species of Imperial guarantee being given for the purpose of purchasing land. No great measure involving a huge liability like this should be passed without the approval of the country being obtained to it, and *à fortiori* no great measure like this should be passed when the country has expressed disapproval of such a measure, as the country at the General Election did. At the last General Election not only did Members on this side declare against an Imperial guarantee, but almost every Tory, as well as Liberal Unionist, went to the electors with the cry, "Do not return the Liberals to Parliament, although Mr. Gladstone has declared the Land Purchase Bill is dead, for it is humanly possible that he may bring it in in another shape. Send us to Parliament as the guardians and protectors of the Imperial Exchequer against the possible raids of Mr. Gladstone." I have in my pocket 69 addresses of Conservative and Liberal Unionists [*Cries of* "Read, read"] which I have obtained at the British Museum. The hon. Gentleman would not say "Read" if he realised the utter sameness in the addresses. I will, however, read one or two as samples. Here is one signed "Algernon Borthwick," who is, I presume, the Member for South Kensington. He said—

"The English taxpayer in these times of hardship and depression is to be asked to contribute millions on millions upon the chance of the Irish tenant farmers paying their rents to the permanently-absentee landlord—the British Treasury. Common sense, honesty, loyalty, and law all condemn the wild and dangerous scheme which the Premier (Mr. Gladstone) has adopted."

The next extract is from the address of Mr. Bartley, the Member for North Islington, who said—

"The very heavy additional burden of taxation which the policy of the Government involves in buying out the Irish landlords seems to me to be both unjust and unnecessary to the English, Scotch, and Welsh taxpayer."

Viscount Baring, the Member for the Biggleswade Division, said—

"I am opposed to the Land Bill, because the British taxpayer would become liable to a charge of at least £30,000,000, and probably not less than £200,000,000, for the purchase of the property of the landlords of Ireland."

Lord Henry Bruce, Chippenham, in his address, said—

"That you, the British taxpayer, should, out of your hard-earned incomes,"

—we all know this style—

"be called upon to pay the fabulous sum of from £50,000,000 to £150,000,000 to buy out the landlords, and that in future the odium is to devolve on your shoulders of collecting their rents—which will assuredly be considered foreign tribute—is a burden which I imagine you will not for a moment tolerate."

Mr. Gathorne-Hardy, East Grinstead Division, said—

"The second Bill provided for buying out the landlords at an enormous expense, which would almost certainly eventually fall upon the British taxpayer. It was the principle of this scheme, and no mere Resolution, which was decisively rejected by Parliament."

I have taken these as the most moderate samples, but all alike condemn the principle of an Imperial guarantee. The present Bill unquestionably gives such a guarantee, and that guarantee is justified by the most transparent of subterfuges, the subterfuge being, I fancy, the effort of the Member for West Birmingham. That right hon. Gentleman explained all over the country that he had a plan for reducing rents and making occupiers owners with no loss to landlords, no Imperial guarantee, no liability to the British taxpayer. Well, we wondered how he was going to do this, and for a long time he did not produce his plan, but at last this plan is produced, and, I presume, we owe it to him. He says that guarantee is merely nominal, and there is no real liability. But I think I have shown that there is, and I think we can, as men of business, judge of the security. I put it to men of business, if you were to go into the City and ask for a loan on this security in the Bill without this guarantee would you get it? How much money would you get? I defy the Chancellor of the Exchequer to get up in his place and fairly and honestly say that, from his knowledge of the City of London, he could place a loan for the purposes of the Bill without a general Imperial guarantee at 5, 7, or even 10 per cent. But this violation of a pledge on the part of a great Party is really more important than the financial loss, because it strikes at the confidence that ought to be entertained by the country in the majority of the House of Commons, whether Liberal or Conservative. The Party opposite call themselves constitutional; I think their conduct in this matter is unconstitutional—so unconstitutional that I was going to say it was "dishonourable;" but I will not do that; I will say, "Brutus is an honourable man." We know that if this Bill is passed here, there is no chance of its being thrown out in the House of Lords, which is a mere pale reflex of the majority in this House. I suppose if the Liberal Party were to bring in a Bill in opposition to their pledges to the country, the House of Lords would throw it out; and they would be justified in doing so. But you do not expect the House of Lords to do that now. The head of the House of Lords is the head of the Government, and gentlemen sitting on the Front Bench opposite are merely his clerks. These are my chief reasons for moving this Amendment. I have not a vestige of doubt that I shall be beaten, because I do not believe that the present Government could propose anything, no matter how monstrous, no matter how contrary to the pledges that had been given at an election, which their henchmen on that side and on this side would not vote for. Though we shall be beaten, we shall have done our duty. We shall have protested against this guarantee on it merits, and have protested against it as one of the grossest violations of confidence ever perpetrated by Representatives against those they represent. Though we shall be beaten, I have no doubt that the electors will take the matter up at the next General Election. Two days ago an eminent Member of this House, taking part in the proceedings on some festive occasion, in returning thanks, said this House was on its death-bed. My only prayer is that it may never rise from its death-bed.

Amendment proposed, in page 1, line 10, to leave out the word "guaranteed."—(*Mr. Labouchere.*)

Question proposed, "That the word 'guaranteed' stand part of the Clause."

(4.35.) MR. A. J. BALFOUR: The hon. Member who has just sat down has taken the opportunity afforded by the Amendment standing in his name to make a most elaborate Second Reading speech against the Bill. No topic touched upon in the prolonged Debates that took place last year on the Second Reading, so far as my recollection serves me, has been left untouched—I will not say unadorned—by the hon. Member. He has discussed the necessity, or absence of necessity, for land purchase. He has discussed the advantages and disadvantages of landlordism, and he has discussed the advantages and disadvantages of dual ownership. Whether the course taken by the hon. Member was strictly in order it is not for me to say. [*Opposition cries of* "Order!" "Chair!" *and* "Withdraw!"]

THE CHAIRMAN: Order, order!

MR. A. J. BALFOUR: Yes; whether he was strictly in order it is not for me to say. I think that it will, at all events, be admitted that is not my bounden duty to follow the hon. Member closely through all the topics to which he has thought fit to refer. One observation made by the hon. Member caused me some surprise. The hon. Member expressed his inability to understand the frame of mind of any person who thought that a legislative distinction could be drawn between landed property in Ireland and other kinds of property. He said he could understand the frame of mind of those who oppose Home Rule, but that the frame of mind of anyone who could be so silly as to suppose that legislative precautions had to be taken in the case of Irish land which need not be taken in the case of other property in

Ireland was a degree of stupidity that he could not understand. If the hon. Member's view is right, the most stupid men in this House are the right hon. Member for Mid Lothian and the right hon. Member for Newcastle, and their stupidity is shared by nearly every considerable Member of this House, except the hon. Member himself, who has in the last 10 or 15 years expressed an opinion upon the Irish land question. Then the hon. Member raised a topic which is not raised for the first time in this House. He dwelt on what he termed the inconsistency of the Tory Party in making themselves responsible for a large scheme of land purchase in Ireland, and quoted some election addresses to show that objection was taken by Conservative Members to the Bill of the right hon. Member for Mid Lothian. Of course, objection was taken to that Bill; and if it should be revived, I think the hon. Member would find that the same objections would be taken by the same people, and on the same grounds, and that it would not be necessary to express them in different language to that which was used in 1886. The objection made in 1886 was not to land purchase in the abstract. [*Laughter.*] The opinion I am expressing is founded entirely upon the extracts quoted by the hon. Member. The Committee will see from those extracts that what was objected to was the risk of loss to which the British taxpayer was exposed by the Bill of the right hon. Member for Mid Lothian. But those who opposed that measure do not think that risk is thrown upon the British taxpayer by the Bill before the Committee. They may be right or wrong. I shall in a few moments have to explain why I think they are right; but whether they are right or wrong, there is no inconsistency in their position, which is that the scheme advanced by the right hon. Member for Mid Lothian in 1886, connected as it was with a scheme for a Home Rule Parliament, was essentially insecure; whereas the present Bill, with its entirely different sets of guarantees and its different machinery for recouping the British taxpayer, and with no association with a Home Rule measure, is a Bill which may be accepted in perfect ecurity by even the most anxious conomist. The hon. Member has asked us—and again this is a question which has been asked before in the House—what financial house in the City would lend money upon the security provided by this Bill. I reply that if you were to go into the City and say, "You shall have absolute control over that part of the Imperial Fund which goes to support Irish local taxation; the Guarantee Fund shall be put into your till if there is any insufficiency of payment," there is no house that would refuse to accept the proposal. The security is absolute. If you gave an Imperial pledge—if this House were to give a pledge that the £30,000,000—to name a sum—of the Guarantee Fund should be paid to the City house in case of insufficiency in the receipts from Irish land, of course no firm would refuse to take the responsibility, and the House of Commons is in exactly the same position as this hypothetical firm.

Mr. LABOUCHERE: The Government are under the prior obligation of keeping the lunatics in Ireland.

Mr. A. J. BALFOUR: There is no obligation of a financial kind to keep the lunatics.

Mr. T. M. HEALY (Longford, N.): How about the police and removables?

Mr. A. J. BALFOUR: I trust we shall not hear much more about this hypothetical firm. The hon. Member for Northampton has criticised the security for the advance of money by the State, saying that agricultural produce is very likely to fall in value. The hon. Member said that arrangements are going to be made with the tenants which will cover a period of 49 years, that during that period any number of vicissitudes may affect agriculture as they have done in the past, and that as the income the occupier receives is diminished, so his ability to pay will diminish with it, and we may find we have lent our money on agricultural security which has greatly shrunk in value. Of course, no one can absolutely forecast the future, and what the hon. Member predicts with regard to the value of agricultural produce may come to pass, but there are two observations with which I may meet the hon. Member's criticism. The small tenants whom the hon. Member has in his mind as those who will suffer most by a shrinkage in the value of agricultural produce sell only a small and insignificant portion of the produce of their holdings. The greater part they consume themselves; and in respect of that part, therefore, it matters not a farthing whether the price goes up or down. Then I believe the tenants will very seldom have to pay more than 80 per cent. of their present rents; and in the case of the small petty holdings which afford least security, no doubt the number of years' purchase will be proportionately small, and the reduction in the annual payments in proportion to the present rents comparatively large. In the poorer districts of the West I suppose there will be few cases of more than 15 years' purchase, and the reductions will probably be reductions of 40, 50, or even 60 per cent. upon the rents now paid. The margin supplied by such reductions is so enormous that I think we may look forward with perfect equanimity to anything that may happen to agriculture in the next 49 years, and not anticipate any difficulty of the kind the hon. Member has referred to. We must also bear in mind that the eventuality of periods of exceptional distress is met by the creation of two kinds of Reserve Funds which will, I believe, be adequate to bear any strain that is likely to be thrown upon them. So much for the objection of the hon. Gentleman, on the score that the land on which the money is lent will fall in value. But then the hon. Gentleman complains that the Government give too much for the land, and settle too long a term of years for the purchase. I think that the hon. Gentleman must have had in view the Bill of last year; the Bill of this year mentions no number of years' purchase, and leaves the whole question entirely to the landlord and tenant to settle what price they shall receive and give, subject to the decision of the Land Commissioner that the land given in security is ample to meet the loan made upon it. The hon. Gentleman has based his speech upon, not memory, but forgetfulness of last year's Bill. The hon. Gentleman, however, has preserved the greater portion of his criticism for the Guarantee Fund. For my own part, I fully accept the principle that the Government cannot ask the House of Commons or the country to lend more money than they have already lent on the security of Irish land without supplementing the security in some effective manner. I contend that we have succeeded in doing so. The hon. Member has, first, taken the cash portion of the Guarantee Fund, and his criticism is, "I grant that the cash portion fully covers the £8,000,000 or so advanced, but even as far as the cash portion is concerned, you will have to evict before you use it, and eviction is a thing from which you will shrink, and is a thing in which the right hon. Member for West Birmingham has expressed the opinion that he will never take part." But it being accepted that the cash portion of the Guarantee Fund is inadequate, the hon. Gentleman is entirely mistaken with regard to the question of eviction, which is not in any way an essential preliminary. The Bill provides that as soon as there is any deficiency in the Land Purchase Account in consequence of the non-payment of annuities, immediately the Treasury shall seize upon an amount of the cash in its possession equivalent to the default, quite irrespective of any payment on the part of the tenant, or of selling his holding. The criticism of the hon. Gentleman on the cash portion is, therefore, based upon an imperfect acquaintance with the contents of the Bill. With regard to the contingent portion of the Guarantee Fund, the criticism is that since that portion of the money is devoted to such local purposes as the support of pauper lunatics and other analogous purposes, it will be impossible for this House, under any circumstances, to touch it. For my own part, I fully believe that under no conceivable circumstances which any practical statesman can contemplate will it ever be necessary to touch the contingent portion of the fund. Even the hon. Member himself does not contemplate a general conspiracy against the payment of the annuities. But if there were, for my own part I do not believe that the House would shrink from requiring the locality to pay a tax sufficient fully to pay the deficiency in the cash portion. Before we can arrive at the contingent portion we have to conceive a universal conspiracy against payment of the annuities all over Ireland; that the localities refuse to pay the tax legally put upon them to meet the deficiency; and that this House will be so soft-hearted — I was going to say pusillanimous—as to meet this deliberate conspiracy against the taxpayers of this country by calmly repealing the Act and giving to the localities—who must have been privy to the conspiracy—funds to which they have no earthly right. I do not believe that the House would hesitate for a moment if the contingency arose. But is this possible? I contend that it is not. I dealt with this question at very great length last year, both on the First and on the Second Reading of the Bill, when I gave detailed financial arguments and figures which nobody has attempted to meet. Does the hon. Gentleman think that it is so easy to get up a universal conspiracy against the payment of annuities?

Mr. LABOUCHERE: Yes.

Mr. A. J. BALFOUR: Then I maintain that the hon. Gentleman knows little about Ireland. In order to make such a universal conspiracy successful they must, in the first place, deal with a landlord whose pecuniary position is such that he cannot stand by himself; secondly, the conspiracy must be backed up by a system of boycotting and intimidation; and thirdly, the conspirators must have enormous funds at their disposal. I believe that the amount paid out of the Land League funds to each evicted tenant is about £3 a month, and from that anybody may calculate what sum it would need to back up a universal conspiracy against the payment of annuities. It would require millions, and where are they going to get those millions? The hon. Member seemed to think that the Government would be under the necessity of cultivating the holdings. What the Government would do would be simply to turn the tenants out of their holdings. [*Ironical Opposition cheers.*] I suppose if there was a conspiracy nobody would object to that? Then they would have to be supported out of other funds; and, of course, the thing would break down. I suppose they would build a certain number of Land League huts, but the conspiracy would break down, and a great many of the people would come back to their holdings. But a general refusal to pay is quite impossible to contemplate. Whether from historical reasons or otherwise, there undoubtedly exists in the minds of a certain portion of the Irish tenantry an idea, which is backed up by the Irish in America, that there is something inherently wicked in what they are pleased to call "landlordism," and that a tenant fighting his landlord is a proper object of sympathy and has some peculiar rights not known to the Common Law. But what sympathy would there be for men who had got a reduction of from 20 to 40 per cent. on the original rents, and who had been aided by the British taxpayer to become proprietors of their holdings, on the part of any section of opinion in Ireland, in this country, or in America? They would get no sympathy, and they would deserve none. They would occupy the position of an ordinary debtor who, having the power to fulfil his obligations, absolutely declines to do so, and they would utterly fail in receiving assistance from America. I do not believe that any such struggle, if attempted by the most insane agitator, would meet with the slightest degree of support from the Irish purchaser. We have had 20 years' experience in these purchase matters, and in no case has there been the slightest indication of such an attempt. We have had to deal with purchasers under the Acts of 1869, 1870, 1881, 1885, and 1888; and if our experience proves anything, it proves that the Irish purchaser is not the scoundrel which the hon. Member for Northampton endeavours to make out. But if by any possibility we can conceive any conspiracy against the payment of annuities on so enormous, so gigantic, and so inconceivable a scale that the cash portion of the Guarantee Fund will not be sufficient to meet the deficiency in the annuities—if we accept such a wild hypothesis—then I do not think that the Legislature of this country would hesitate to meet that conspiracy by the only arm by which it properly could be met; they would refuse to pay the ratepayers of the counties, who must have abetted the conspiracy, funds to which they had no legal title; and they would fail in their duty not only to this country, but to the Irish people, if they allowed the provisions with regard to the contingent portion of the fund to remain a dead letter. Never was there, or can there be conceived to be, a safer financial transaction than that which the Bill asks the House to undertake; the whole advance is, and must be, covered. Imagination may wander at will over various possible contingencies—potato failure, conspiracy against rent, what you please; but, if the figures involved in any fancied hypothesis are worked out, the conclusion must be reached that, whether the Bill is a good Bill or a bad one, whether it is suited to the needs of Ireland or it is not, whether it will or will not contribute to the solution of one of the greatest difficulties that ever arose in the government of Ireland, it is financially a perfectly sound and secure measure.

*(5.1.) MR. KEAY (Elgin and Nairn): I have listened with much pleasure to the address of the right hon. Gentleman the Chief Secretary, but I notice that he made one important mistake, and that was when he stated that he had answered in detail all the different points raised by the hon. Member for Northampton. I wish to remind him of what appears to me to be the most important point in the hon. Gentleman's speech to which he did not allude at all. I refer to the challenge given by the hon. Member for Northampton to the right hon. Gentleman to say whether my hon. Friend was or was not right in giving certain figures which would be the deficit between the amount of the Guarantee Fund at its 40th year on the one hand, and the amount due from the tenants in the 40th year on the other hand.

MR. A. J. BALFOUR: I admit that I did not touch that point, because, although I felt the importance of it, I thought it much better to defer allusion to it, because it is not strictly relevent to this Amendment. In dealing with such complicated figures as I shall have to present, I prefer to deal with them at a later stage.

*MR. KEAY: Of course, the right hon. Gentleman is entitled to his opinion; but, at the same time, I think that the point which he so gracefully elided is one which presents in the most forcible manner the risks that the British taxpayer has to incur under the guarantee which is the subject of the present Amendment. I am very glad the right hon. Gentleman has adopted and endorsed in the speech just made all he said last year on the First and Second Reading of this and of the former Bill. As the matter is fresh in the memory of the House, it would be well for me to deal with the statement on which he has laid particular stress on the present occasion. In what I thought was a very courageous, if not a boastful, spirit, he spoke of his description of last year as to how the tenants' instalment was to be met in case of total repudiation, and he said that the figures given by him on that occasion had never been controverted. Now, in my humble way I attempted to controvert those figures in my speech on the Second Reading of the present measure, and I was further prepared, after the Amendment we were then discussing was disposed of, to have addressed the House on the Main Question; but, by some subtle influence for which I cannot account, it appeared to be known on the Treasury Bench that it was this point as to the insufficiency of the Guarantee Fund that I intended to touch on, and the result was that no sooner had I risen in my place than I was promptly closured by the First Lord of the Treasury. I am bound to add that that was the solitary occasion on which during the period I have sat in this House I was appointed Teller on a Division, that Division being on the Closure. I will now ask the House to allow me to read from the speech of the right hon. Gentleman to which I have just alluded. It certainly was what he has called an exhaustive speech. I will not trouble the House with the preliminary passages in which he boastfully alluded to how the tenants' instalment was to be met from the Guarantee Fund in case of total repudiation. The right hon. Gentleman very properly accepted universal repudiation as the only contingency that was worth considering when discussing the financial solvency or otherwise of the Guarantee Fund. The right hon. Gentleman said—

> "Very well, instalments at 4 per cent. on an advance of £30,000,000 amount to £1,200,000 a year. Let me suppose that in one year—the hypothesis is an absolutely unfavourable one—not a single sixpence of the annuity was paid, what funds would there be at the disposal of the Treasury, and of the Land Commission to meet the deficiency?"

I should here tell the House that this speech of the right hon. Gentleman has been very carefully revised by himself, and that I am quoting it from *Hansard*. The right hon. Gentleman goes on to say—

"We shall have, first, the £200,000 reserve fund; secondly, there would be the £200,000 annual probate grant; and, thirdly, £40,000 of the new Exchequer contribution, and £75,000, being the ¼ percentage on £1,200,000, and there would be besides that, if we accept the hypothesis of 17 years' purchase, £1,118,000 of tenants' reserve; so that without touching the £5,000,000, which is the landlord's fifth, and without touching a sixpence of the contingent portion of the Guarantee Fund, you have £1,633,000 to meet a call of £1,200,000, on the extreme and absurd hypothesis of not one sixpence of annuity being paid during the year in question."

Now, Sir, the right hon. Gentleman said that these figures had never been controverted. I am sorry he has left his place, because I am going to controvert them now. He spoke of the reserve of £200,000. That was the first item. To that I answer that that reserve is only available for one single year, and that in the following year it would not exist. The second item is the Probate Duty grant, which he put at £200,000, whereas the Returns show that it ought to be £189,000. Then there is the Exchequer contribution of £40,000 a year. I accept this, and I have put it to both sides of the account. He then tells us that in some mysterious way there will be £75,000, being a ¼ per cent. of the tenant's 4 per cent. instalments, called the county percentage. How he could ever have imagined that, on the assumption that the 4 per cent. instalment was to be withheld bodily by repudiation, the ¼ per cent. was to come in and the 3¾ per cent. were not to come in, I should be glad if he would explain to the House. The last item is one which had a great effect upon the House. He said there was the tenant's reserve of £1,118,000, adding, in a qualifying parenthesis, that that was on the assumption of 17 years' purchase being the average rate. But the right hon. Gentleman must know, and it is shown by the Return presented to this House, that whenever 20 years' purchase is reached no tenant's reserve can come into existence at all. The present Bill provides that 20, or even 30, or 50 years' purchase may not only be the price of the land, but may be advanced by the Treasury. Therefore, the right hon. Gentleman was not justified in talking about the tenant's reserve being a guarantee at all, seeing that it is merely contingent on the improbability of the tenant getting the land from the landlord at only 17 years' purchase. What, then, are the incontrovertible figures the right hon. Gentleman rests on? I have summed them up in two columns. I have one column containing what the right hon. Gentleman says was the amount last year of the safeguard of the British taxpayer, and I have put the truth of the matter in the other column. The right hon. Gentleman's column comes to £1,633,000 of cash held against tenants' instalments of £1,200,000. The truth is, that the actual amount would be £229,000 only, which would leave an odd £1,000,000 totally uncovered.

(5.15.) Colonel NOLAN (Galway, N.): I think the hon. Member has shown that there is a superabundance of guarantees, and there is an annual income of £1,000,000 to cover deficiencies. I object to the multiplicity of guarantees, which are totally unnecessary. I should prefer the simple guarantee of the Consolidated Fund to all these local guarantees, which I would like to see swept away altogether. It is quite certain that no person in the City would advance money so cheaply as the Government. There was a dispute between the hon. Member for Northampton and the Chief Secretary for Ireland. The hon. Member said that no person in the City would advance 10 or 15 per cent. and the Chief Secretary plainly showed that the Government advances would be a good speculation. I do not think that any firm in the City would advance money so cheaply if there were no Government guarantee. In my opinion, the great advantage of this Bill is that the small tenants of Ireland would get their farms at a much cheaper rate per year than they would if there was no guarantee by the Government. That is why I think the Bill a good one for the Irish tenant. Now, to come to the point as to the English taxpayer. If hon. Members on this side of the House think that the English taxpayer ought not to guarantee the funds, I think they are justified in voting against the Bill. But if it can be proved that the taxpayer ought to pay, then I do not think that in order to gain a Party advantage they ought to sacrifice the tenants of Ireland. The whole sum involved is about £1,000,000 a year, or £30,000,000 in the aggregate. What is likely to be the probable deficiency? Experience of the various Land Acts of the right hon. Gentleman the Member for Mid Lothian, and of Lord Ashbourne's Acts, shows that the deficiency will be very trifling. It has not yet amounted to anything like 5 per cent. of the annual income. The British taxpayer would in all probability have a very small sum indeed to meet, even if all the local guarantees were swept away, and the Irish tenants would gain a considerable advantage. The outside cost to the British taxpayer would be about £50,000, if that much. It is not a great deal to provide. Ireland in five days provides £50,000 for the conveyance of British troops to any part of the world, and in the same period for that and other purposes she contributes £100,000. Therefore, the surplus contribution of Ireland for five days alone is all that the Imperial Exchequer is likely to be called upon to pay. The sum required is extremely small compared with what Ireland contributes; and I think the taxpayers may fairly come forward and say the sum is so small they are willing to pay it. I intend to vote against most of the local guarantees, because I think the charge should be borne by the Imperial Exchequer. I think the small tenants in Ireland have certainly very strong claims which cannot possibly be met without the Imperial guarantee.

(5.24.) MR. R. T. REID (Dumfries, &c.): I am one of those who are strongly against a guarantee for any purpose contemplated by this Bill. I think in the country some rather unjust reproaches have been levelled against this side of the House, because of unwillingness to allow the guarantee. Were it intended for the congested districts or to mitigate the unfortunate consequences of our policy in Ireland, I should not be unprepared to accede to the proposal. But that is a wholly different business from the proposals of this Bill, which are not designed primarily for those who are poor and in distress. The guarantee is mainly on behalf of those who are by no means poor. The Bill proposes to make advances irrespective of the financial necessity or position of those who receive them. Under the Ashbourne Acts, during the last five years, the money has been spent not in the poor districts of Ireland at all, but in Ulster and other prosperous parts of Ireland, outside Ulster; and what has been the experience of the past may reasonably be anticipated as the experience of the future. I doubt whether this guarantee would close accounts between landlords and tenants, for it would still be competent for the landlord, after receiving a certain number of years' purchase under this Bill, to stipulate for further sums for the tenants who get their farms by purchase. The landlord will be able to refuse his consent to the tenant getting the benefit of this guarantee, and by that means he will be able to appropriate to himself the bonus created by the use of British credit. That objection alone is, to my mind, fatal to the use of British credit in this way. The use of British credit will create a certain bonus in the hands of those persons for whose benefit it is applied. If you say that it is to be applied to the very poor people of Ireland, then I can understand it. But you apply it indiscriminately to all the tenants of Ireland. As an illustration, the right hon. Gentleman the Chief Secretary, when he first introduced his Bill, spoke of a tenant paying a fair rent of £100, which would be reduced to £68, thus putting into his pocket a bonus of £32 a year. If you are going to use British credit for the benefit of a tenant who can pay £100 a year, how will you refuse to use it for the benefit of the poorer classes of this country, or all classes in a like position in this country, when they ask for it to be extended to them? The strongest ground of opposition of all is that the use of the guarantee will put the British taxpayers in the position of the landlords of Ireland. That point, however, has been so much dwelt upon that I will not pursue it. I am not going to suppose a general strike against rent; still, it would be necessary for the Government to evict a considerable number of persons, or otherwise they would not be able to enforce payment. I do not think it necessary to say anything about the securities. Had the Bill been a good or a fair measure, or one intended to benefit the poor people, and not the landlords, I should not have looked too closely or jealously at the securities; but when we consider the nature of the securities it is found that they have been condemned wholesale by the most competent authorities. The hon. and gallant Gentleman who spoke just now said that the debt was so good that no security was required. I do not know how that may be. The noble Lord the Member for Paddington, in a series of letters which have not been answered, and the hon. Member for Elgin and Nairn, in a pamphlet which cannot be answered, have demonstrated that these securities are absolutely worthless. It is quite true that the Bill introduced by the right hon. Member for Mid Lothian in 1886 was a much safer proposal, and although it could be defended on the ground that it was part of the general settlement of the government of Ireland, still I cannot say that I liked it; indeed, I declared at the General Election that I would not support it. But it is no answer to the damaging criticisms which have been made against this Bill to say that similar proposals have been made in past times. No doubt, had it not been for the land proposals of 1886, the Liberal Party would have now been in power, and it does seem to me inconsistent with the honour of Parliament that a Party whose success at the polls was due to its attacks on the land scheme of 1886 should now propose a Bill of a more dangerous character. It is of no use dealing further with this point. I am perfectly sensible of the position in which we now are. The Opposition appear to be in this position: that they are hampered by the unfortunate fact that in 1886 a similar Bill was brought forward. It is of no use our offering any arguments to hon. Gentlemen opposite dealing with the Irish question. For the last five years we have been trying to persuade the Conservative Party to share in our views, but not much attention has been paid to the arguments. It is, therefore, a hopeless struggle; but, notwithstanding this, I trust that the Opposition will fight this Bill in Committee right through, thus doing our duty to our constituents. Although the Government may betray their constituents we will not betray ours.

(5.35.) Mr. W. E. GLADSTONE (Edinburgh, Mid Lothian): I think it is a little too unjust to reproach my hon. Friend the Member for Northampton with having travelled beyond the limits of the subject now before us in the able speech which he delivered, and which contained a great deal of matter of great importance submitted for the guidance of the House. I am not going to alarm the Government with the idea of an extended speech, but I am ready to give my opinion that there was not a word in the speech of my hon. Friend which was not perfectly relevant to the scope of the subject before the Committee. I will not speak of any implied reproach upon yourself, Sir; but I think it was conveyed in the question put by the Chief Secretary whether the speech of my hon. Friend was in order. I own it appears to me that, if it were the pleasure of the Committee so to do on this question whether the guarantee of the British Treasury is to be afforded to the outlay of a large sum of money, nothing could be more clear than that the Committee, if so minded, has a perfect right to discuss all the conditions of that guarantee. That is the protest I make on my part against the attempt at undue limitation, perhaps made without sufficient consideration, of the power of the Committee. I shall only make one or two observations upon what has fallen from the various hon. Members in the course of the Debate. The hon. and gallant Member for Galway—I will not say has objected to the Bill, but has observed on the Bill that his difficulty is to make out a justification or necessity for all the securities which the Chief Secretary and the Government have promised to provide. He thinks that, viewing the good disposition of the Irish people to pay their debts, there would undoubtedly be a moderate loss; still, that loss ought to be cheerfully borne by the British taxpayer, who ought not to condescend to place between himself and the possible loss these elaborately provided securities. Let me say that the scope of that moderate loss was not quite accurately estimated by the hon. and gallant Member. He stated that the amount of the risk which was incurred by this Bill was limited by the sum of £30,000,000; whereas, as has been frankly told to us from the first, the £30,000,000 is to be a circulating fund invested and re-invested until it has performed the whole of its operation, which may extend, with certain exceptions, to all the agricultural land of Ireland; and a sum near £100,000,000, being a good deal within the mark, was stated by the Chief Secretary as the extent of the liabilities that would ultimately devolve. I do not think that the hon. and gallant Member will find that there are many candidates for seats in any portion of Great Britain who would like to announce in their addresses to their constituents the doctrines which he has announced to-day. I perfectly understand the position of the Irish Members. Their position is a very difficult one. They have an unsettled money account between England and Ireland, in respect of which England is largely indebted to Ireland, although that debt has not been acknowledged, and has not been paid. Whenever a grant is made or proposed in this House it is the universal practice of Irish Members to accept that grant, but to frankly admit that they accept it without acknowledgment and without gratitude. They accept those grants as part payments of a sum of money which they hold—and, in my opinion, within limits, justly hold—as due to Ireland; and they regard the distribution of that sum of money by an authority of which they consider the moral competency to be more than doubtful, as portion of a policy expressly based upon, and intended to secure, the permanent refusal to Ireland of her rights of constitutional self-government, and to intercept and frustrate the attainment of the dearest wish of their country. That appears to me to constitute a case for them quite distinct from our point of view. We have to consider our own obligations to our constituents generally, and we ought to remember the circumstances under which in the present Parliament we have to comply with those obligations. Reference has been made to the subject of dual ownership, and the abolition of dual ownership by the plan now before us. Dual ownership, as has been stated by the hon. Member for Northampton, is not about to be abolished. For the ownership of the landlord the ownership of the British Exchequer is to be substituted, and our belief is that to present that ownership of the British Exchequer to the Irish occupier in general in lieu of the ownership of the landlord is a course dangerous and impolitic. That is a course in respect of which we, the authors of the Bill of 1886, stand in no embarrassment whatever, because there was no ownership at all on the part of the British Treasury—the ownership was that of the Irish authority. It was the Irish authority, and the Irish authority alone, which would in any circumstances have been called upon to settle with the Irish occupier the question of the repayment of the instalments due to the plan of land purchase. There is another point which, in my opinion, is of importance—the City firm. A challenge was thrown out by the hon. Member for Northampton to this effect—"What City firm would lend money on the securities that are offered by this Bill?" It is necessary to distinguish, of course, between the security and the guarantee. A City firm would lend money freely enough on the guarantee; but the question is whether the guarantee ought to be given. The Government say that this proposal is safe; that there is no liability at all; it is a nominal guarantee. But my hon. Friend proposes to test the question whether upon those securities a City firm would propose to lend money. What is the answer of the Chief Secretary? It was this—that if the House of Commons is prepared to place at the disposal of the City firm the Votes which it is now proposed to make, and which are under our control, for Irish purposes, then the City firm would lend the money. Our contention is that the House of Commons cannot place those grants at the disposal of any creditor in the manner intended by the Government. It would be impossible to prevent the application of them to their legitimate purposes. But what I want to observe is that the answer of the right hon. Gentleman is absolutely suicidal, because, if the allocation of the securities gives a sufficient guarantee for the City firm to lend its money, why are we to have an Imperial guarantee? Does the right hon. Gentleman not see that he has himself supplied the best argument for the proposition that is now before the House — that no Imperial guarantee ought to be given unless that guarantee is necessary? For the guarantee he now proposes there is no case whatever, and the Bill ought to rest alone on the validity and sufficiency of the securities he proposes. But I wish to state in a few words the main ground—indeed, I may say, the one sufficient ground—upon which I feel myself absolutely precluded under the present circumstances, and in the present Parliament, from dealing with any question whatever of British guarantee for an expenditure of this kind. It is quite true that the Bill of 1886 was condemned at the General Election. Of that there can be no doubt. But it was not condemned, as has been asserted, on account of the principle of guarantee which was involved in it, but on the ground of the conditions with which that principle was accompanied, and the manner in which it was applied. I suppose the main argument of the Chief Secretary would be that which has been made by the right hon. Gentleman the Member for West Birmingham—that it was the withdrawal of Imperial control from the government of Ireland, which really constituted the reason for condemning and refusing such a guarantee as was then proposed. I wish, however, before making an answer to that proposition, frankly and honestly to confess that the Bill of 1886 was condemned by many gentlemen sitting on the Liberal side of this House and by many constituencies. Whether it was condemned after sufficient discussion is another matter. Whether the principle of the guarantee of British credit of funds for Irish purposes is admissible, I do not feel myself at all obliged at the present time to question or decide. It is no doubt a question for the people of this country to decide, and they ought to decide it after full discussion, and with full knowledge of what they are about. But it is obvious that all those Liberal Members and constituencies who were disposed to condemn the guarantee of 1886 did not in the least degree condemn it on the ground supposed by the Chief Secretary, but on other grounds totally distinct. They did not disapprove of, but, on the contrary, they approved of, the granting of self-government to Ireland, and considered that to be a great recommendation of the plan proposed by the Land Purchase Bill of 1886, which had this recommendation, at any rate—that it was presented as a portion of the settlement of the Irish question. That question now remains unsettled, and has to be dealt with if this Bill should become law. I wish to affirm in the strongest manner—I am not speaking the opinions of Liberal Members of this House, or of Liberals outside its walls, but the general opinion of the country in 1886, without distinction of Party, whether that opinion was hastily given, whether it is revocable or not—there can be no doubt that that opinion was absolutely hostile at that time, at the time when the country gave its commission to the present Parliament, to the granting of this guarantee in any form. That, I hold, is entirely beyond question. I do not think we are here simply to act upon definite instructions from the Government. We are a deliberative Assembly. The general rule of our procedure must be to hear the entire case, and freely decide on the various issues that are before us; but, at the same time, there are given circumstances under which we are bound by pledges, which ought not to be disregarded. In my opinion, a large portion of the minority, and certainly the whole of the majority, of this House, speaking generally—I admit the right hon. Member for West Birmingham is an exception—were returned with the fullest conviction on the part of the country that they were not to pledge the credit of the British Exchequer for this purpose. That conviction, I should say, constitutes a pledge. Nothing can be more important as a principle of the Constitution than that whatever understanding has prevailed at the time when the nation gave us our commission should be fully and absolutely maintained. My opinion is that the nation arrived at the conclusion that this guarantee ought not to be given. It might alter it. I do not scruple to say that there was an open pecuniary account between England and Ireland, and that that account will have to be settled on liberal terms. The nation will have to consider whether in those terms the use of the Imperial credit should be introduced. Undoubtedly, in 1886, speaking for myself, my view was that the Bill then introduced for the purchase of Irish land was a Bill that without risk to the British Exchequer—though I confess I feel some scruple in using those words after the way they have been used on the opposite side of the House—conferred a boon on Ireland which was demanded by justice. Whether that was a wise form of proceeding is a matter I do not consider myself able to discuss, because I think the proceedings of the election of 1886 have limited the arena in which we are to act. The nation at that time had arrived at an understanding, which we are bound to respect. Do not let it be supposed for a moment that I question the motives of any gentleman in this House, or presume to impeach his full right to determine for himself the limits of his duty; but, according to the best opinion I can form on public affairs, I think it would be a breach of faith to the country if we now proceed to pledge the credit of the British Exchequer to a great scheme of land purchase in Ireland, we being here, not as perpetual legislators for this country, but as those who received a certain commission in 1886, to the terms of which we are bound rigidly and loyally to adhere. I feel myself entirely shut out, therefore, from assenting to this principle; and, as I have taken the opportunity to declare it in previous discussions on the Bill, so I shall feel it my duty to give to-night no hesitating vote for the Amendment of my hon. Friend the Member for Northampton.

(5.57.) Mr. A. J. BALFOUR: Courtesy demands a few words from me in reply to the right hon. Gentleman the Member for Mid Lothian; but they shall be very few and said in no hostile spirit. The main point of his contention was that the objection the country felt in 1886 to the Bill he proposed was one based on the broad fact that British credit was to be used. I differ from him. I say the objection of the country was based on an impression, right or wrong, but in my opinion right, that the credit of the country was not only going to be used, but was also going to be imperilled. Although the country expressed that opinion with no uncertain sound against the Bill which the right hon. Gentleman introduced, yet he now asks this House not to support a Bill which differs in almost every essential particular from his. It may differ for better or worse, but it does differ. It has a different set of guarantees, and a different set of securities, and, whatever its merits or demerits, it is not to be judged by any argument that may properly be urged against the Bill of which the right hon. Gentleman was the author. The right hon. Gentleman made one statement which struck me with surprise—that, in his opinion, a pecuniary boon was given to Ireland by his Bill, a boon which is equally given now, and demanded by justice. Sir, if the boon given by his Bill was demanded by justice, I cannot understand how the author of that Bill —let the verdict of the country be what it might—can now retreat from that position. If strong political justice is involved in a scheme of this kind, I cannot understand how the right hon. Gentleman can reconcile the lofty grounds on which he proposed his Bill of 1886 with his action against the measure now before the House. I probably should not do anything that would be conducive to the brevity or the amenity of the Debate if I were to explain the reasons which make me think that the Bill of the right hon. Gentleman imperilled British credit. I submit that his Bill should be excluded from this discussion. The present Bill must be judged on its own merits, and by what it contains; and I repeat the conviction which I expressed to the Committee two hours ago—that, whatever else this Bill may do, it does not imperil the credit of the British taxpayer.

(6.0.) Mr. T. M. HEALY: I regard this matter from a different standpoint to that of the hon. Member for Northampton, and what I have to ask the Government for is some explanation of the meaning of the word "guaranteed." While the hon. Member for Northampton objects to what may be called the original guarantee, I, on my part, object to guaranteeing the guarantors. I am amazed that the Irish Secretary abstained from defending that branch of the scheme which is so obnoxious to Irish Nationalist Members, but which is equally covered by the word "guaranteed." As a matter of drafting, what is the necessity of this word "guaranteed" at all in this part of the Bill? It may either be inserted or omitted, without any damage whatever; and, for my part, I do not think the Government were well advised in drawing the fiat of the hon. Member for Northampton and of the Irish Members on the same matter, though from a wholly different point of view. From my point of view, I am entitled to argue this; if this House is not really building a castle in Spain for the purpose of holding out a mirage to English electors with the idea that they have a solid bulwark to resist Irish non-payment, I would ask why should you ask the pauper lunatic to pay rather than the policeman? You give £90,000 for education in Ireland every year, and you cover that under your guarantee. You have for one schoolmaster receiving £1 a week three policemen receiving 30s. If you want a guarantee, why not draw it from the policeman, who is a useless object? ["Oh!"] Well—I think I can gratify hon. Gentlemen opposite—who will become a useless object when the Bill passes, because we are told that it is the Irish agrarian question which poisons the social life in Ireland. The moment you withdraw and settle the Irish agrarian difficulty the necessity for the policeman disappears. I think I have heard that argument somewhere from Leicestershire. Accordingly, I say that if you declare that your advance of £30,000,000 is justified by the foundation of social peace in Ireland, then, having regard to the force, which exists to an enormous extent because of the agrarian difficulty, it would be more natural to hypothecate the police rate or charge rather than the charge for national education in Ireland. I think that is an unanswerable argument; but there is another. If we have any need for the police in Ireland, will even the Member for South Hunts contend that we have need for the removables? You have them in Ireland now 80 or 90 strong, enjoying salaries and allowances, which I imagine come to about £150,000 a year. They have their staffs of policemen attached to them, so that the removables, so to speak, breed an expenditure of a quarter of a million a year. Why, then, in face of the existence of this body, should you hypothecate the funds which go to pauper lunatics, schoolmasters and mistresses, medical officers of workhouses and dispensaries, and medicines and surgical appliances? If the Government are sincere and genuine in their proposal, knowing, as they must know, that the charge for education is more likely to increase than to diminish, and that the charge for the removables and police ought to diminish rather than to increase, why do they hypothecate these sums and not the charges for removables and police? Will anyone answer that argument? The Government have thought it well to entirely elude that branch of the discussion, and yet it is as fully covered by the word the hon. Member for Northampton objects to as the question of the Imperial guarantee. The losses to the Imperial taxpayer sit very lightly on my mind. I suppose I may consider myself to some extent an Imperial taxpayer. If this charge of £30,000,000 were distributed equally all round it would come, I suppose, to 6s. 8d. a head of the population of the United Kingdom. My view of this proposal is that it is a contemptible spirit for the House of Commons to display with regard to an Imperial guarantee in respect of a nation to which, as the right hon. Member for Mid Lothian declares, the Imperial Exchequer is still largely in debt. The imposing of this local guarantee upon Ireland, I say, is more odious to Irish Nationalist Members than is the Imperial guarantee to the hon. Member for Northampton. The Government are not sincere in the guarantee. No one knows in his heart better than the Chief Secretary that not a penny of the pauper lunatics' or schoolmasters' money is ever likely to be called on. ["Hear, hear!"] Hon. Gentlemen say "Hear, hear!" then why do they put it in the Bill? Surely there is such a thing as frankness and sincerity in the conduct of the business of the State. We object to the schoolmaster having his interest imperilled. Why do not you include the policeman and the removable rather than the schoolmaster? Assuming it is desirable to have a local guarantee, there can be no answer whatever to that branch of the argument. But is it necessary to have a local guarantee? [Mr. A. J. Balfour: Hear, hear!] By his "Hear, hear!" the right hon. Gentleman thinks not, but he belies himself—of course, I use the expression without offence—by the drafting of the Bill. It is the poison you instilled at the General Election of 1886 into the minds of the electorate, and the fears you yourselves created in your minds for the purpose of shipwrecking Home Rule and destroying the Government of the right hon. Gentleman the Member for Mid Lothian, which brings about this fanciful and inartistic guarantee. Either act in an Imperial spirit in this business or do not act at all. When this Bill is passed you will go to your constituents and say, "Oh, what a grand boon we have given to the Irish. How good is Mother England to her Irish children, or adopted children. Once more the great Imperial milch cow has given cream to the starving Irish." At the same time, you take very good care to make the starving Irish guarantee you against every shilling of loss. You declare that is generosity: I say it is the height of meanness. If you wished to act generously you would abandon this local guarantee altogether. You know every shilling of the advance will be repaid, and yet, for the purpose of laying the bogey you have raised, you persist in this local guarantee. If that is my view in regard to the pauper lunatics, schoolmasters and others, what is to be said of the fourth guarantee which you insist on getting from the localities? I ask for a definition of this particular guarantee stock. Having denuded us of our education, having deprived us of the sustenance of the pauper lunatics, is it creditable or decent in you to insist on a further guarantee out of the local rates, and to do it under a system which deprives the local ratepayers of the smallest amount of control over the advances which are to be made? Not only are we to be deprived of local control, but you yourselves declare you will not even allow the Members of the House of Lords to vote year by year the salaries of the gentlemen who are to pay out these moneys. I, therefore, might fairly vote with the hon. Member for Northampton, but I do not feel inclined to do so. To hear you talk about Imperial guarantees, one would think that Ireland is no portion of the British Dominions. The Income Taxgatherer comes round in Ireland as regularly as he does in England and Scotland. To speak of yourselves as the British taxpayers, when Ireland pays three times more than her fair share into the Imperial Treasury, is, in my opinion, a piece of Imperial impudence. Ireland's debt at the time of the Union was £13,000,000, but now the Imperial Debt is £800,000,000. Our view in this matter is entirely different to that of English and Scotch Representatives. We take exception to the word "guarantee," on the sole ground that it involves and implies a local guarantee just as much as an Imperial guarantee. We say that a local guarantee is unjust and iniquitous, and we wish to obtain from the Government some assurance that it will be struck out of the Bill. If you do require a local guarantee you might very well find it in the provision for the police, or the removables, or the Judges, or some other branch of the Civil Service, which certainly might fairly be expected to be cut down if a scheme of this kind is passed to bring social peace into our country.

*(6.20.) MR. CHANNING (Northampton, E.): There is no passage in the speech of the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) which will be so heartily echoed by every Radical in the country as his frank recognition of the debt due from this country to Ireland. But it is just because we consider the proposals of this Bill will tend to defeat the payment of the real debt to Ireland, and because we Radicals intend to give Ireland the full control of the land question, that I, for one, oppose the Bill. The hon. and gallant Member for Galway (Colonel Nolan) said he hoped we were not opposing the granting of a British guarantee for Party reasons. Those of us who have tried to think out the question oppose this scheme, as we should oppose any such scheme of land purchase, because we consider it calculated to do injury to the Irish people themselves, and calculated to promote discontent and dissatisfaction among them——

THE CHAIRMAN: Order, order! That line of argument is not relevant to the question of the guarantee.

*MR. CHANNING: I am opposing the giving of this guarantee Sir, because I consider that it will only unsettle the land question in Ireland instead of settling it. The right hon. Gentleman the Chief Secretary has made it very doubtful whether he intends to deal with the local guarantee at all; and one feels inclined to ask whether he really proposes when the cash portion of the guarantee fund is exhausted to go straight to the rates. One can hardly read his pledge otherwise than as a pledge to the people of Ireland not to deal with the local funds, which are made part of the security, but to go straight to the rates instead. The British taxpayer is asked to give a guarantee in this matter, although he has no satisfactory pledge or security that the price to be paid for the land is a just and a fair price. You deny to the people of the locality the consent of some representative authority to the pledging of their credit. My main objection, however, to the Government proposal is that we are asked to guarantee the application of money to the carrying out of a scheme which will lead to social disorder and discontent in the future, and will discourage national thrift in Ireland. I think it would be wiser if the Government were to introduce some form of local control. There has been, in my opinion, but one sound proposal of land purchase put before the House of Commons, and that was the scheme proposed by the right hon. Gentleman the Member for Bridgeton (Sir G. Trevelyan) in 1884.

THE CHAIRMAN: Order, order! The hon. Member is wandering from the subject. That is quite apart from the question of the guarantee.

*MR. CHANNING: I will conclude, then, by saying that we oppose the granting of this guarantee, because it is given not to set Ireland free, but to forge for her a fresh chain.

(6.27.) MR. ARTHUR O'CONNOR (Donegal, E.): Before deciding on the retention or rejection of the word "guaranteed," I think the House had better ascertain what the word means. I have been at some pains to examine the Bill, but I am in a state of considerable doubt about it. The drafting of the measure is of such a character that, at any rate to one who has not studied it very closely indeed, it appears to be self-contradictory. The Government had to admit yesterday that the advance which the Bill is intended to authorise could not be made until some important Amendment had been inserted. In considering the present Amendment one is driven to the examination of those portions of the Bill which are likely to throw light upon its signification, and I would invite Members opposite, who have copies of the Bill, to look at the last two lines of the first page and the first line of the second. There it is provided that the dividends and payments to the Sinking Fund shall be paid out of the Land Purchase Fund, and, if that is insufficient, shall be paid, as a temporary advance, out of the Consolidated Fund. On page 4, lines 5, 6 and 7, it is provided that if the Land Purchase Account is at any time insufficient to meet the dividends and Sinking Fund payments, the deficiency shall be a charge on the Guarantee Fund, and so on. Having read these pages, I am bound to admit that I cannot make out clearly what is to be the nature of the guarantee for the land stock issued to meet this difference. It is a very simple question to answer—what is it exactly that the House is undertaking to guarantee, and what is the guarantee here expressly referred to worth? The House ought to pause, I think, before deciding the question.

(6.30.) SIR G. CAMPBELL (Kirkcaldy, &c.): I think it is pretty evident from what has been said that what Irish Members want is to get our money under an illusory security. I object to a British guarantee in any shape or form, and so I shall support the hon. Member for Northampton. The Chief Secretary has made a long Second Reading speech, but he has failed to justify this dangerous, insidious proposal contained in the Bill. The hon. Member for Northampton has done well to attack the whole principle of the guarantee. The Bill is like some marine monster, with all its machinery under water. We do not really know what it means; we only know that in some shape it means the guarantee of the British taxpayer, and to that I have the strongest objection. There is no necessity for a guarantee for the Irish tenants; they are fairly prosperous, they are well off, and there is no reason why we should be burdened in order to turn them into landlords. There are certain parts of Ireland, called the congested districts, where distress exists, and with which we deal in another part of this Bill, and with which this Amendment does not deal. Putting aside these parts of Ireland, it seems to me the Irish tenants are an exceedingly prosperous set of people—they get good prices for good crops, and they have an exceedingly valuable property; as a matter of fact, I believe the only kind of property that is saleable at a good price in Ireland is tenant-right. I am not one of those who object to dual ownership. I think it is the right thing. In the interest he has in his holding it seems to me the Irish tenant has all the advantages of a real peasant proprietor in the true sense of the word, and this Bill proposes to turn him into a landlord at the expense of the British taxpayer. This will be of no advantage to Ireland, but, on the contrary, it will do a great deal of harm, creating a new set of evils with a new set of landlords. The Act of 1881 was founded on a right principle, and the Irish tenants are well off under it. I do not see why the British taxpayers, who do not own their houses, should be called upon to give this enormous security that the Irish tenants may become owners, and therefore I shall vote with the hon. Member for Northampton.

(6.35.) MR. MORTON (Peterborough): Such an important Amendment as this, in which the enormous amount of £30,000,000 is concerned, requires to be fully debated before we come to a decision. On many grounds I object to this guarantee, and one strong reason is in the fact that I, in common, I think, with the majority of Members in the House, am pledged against supporting a proposal to use British credit to buy out Irish landlords. In itself that should be a reason for supporting the Amendment, and our duty to our constituents requires that we should carefully consider the chances of repayment of these advances. The security is hardly good enough for the English people, and but for the British credit behind it, every business man will say the money could not be raised. I do not say the time might not arrive when it might be right to consider whether we should allow the Imperial credit to be used for settling the land question; but the time has not arrived yet, because we shall practically be compelling the Irish tenants to pay more than the actual value of their holdings. I say distinctly you have no right to use British credit until you have decided in the first place what is the fair rent for the tenants to pay, and the number of years' purchase at that fair rent. If by any means the Irish tenants think they will not be compelled to pay back the money, then for the sake of a present advantage, the interest being less than their rent, they may be induced to agree to purchase at more than the land is worth, and by-and-by they will urge this as a reason for being relieved from their debt to the State. Before British credit is pledged in this way the question of fair rent should be settled, and the actual value of the land determined. I do not accept the statement that the object of this guarantee is the benefit of the Irish tenants, but rather, I think, the object is to obtain money for the Irish landlords. They know, as we know, and the people of this country know, that Home Rule must come before long; and so the Government are trying to make the best terms they can for their friends the landlords while they have the opportunity. If you are going to use the Imperial credit so that people may get money at 3 per cent., let the whole of the people benefit by the transaction. Why should you confine the advantage to agricultural tenants? If a scheme were proposed whereby tenants would continue in the occupation of their land at a fair rent, and for the benefit of the whole country, I could see some reason for using the Imperial credit so that money might be borrowed at a cheap rate; but why is this scheme to be carried out in this manner for the interest of one particular class? Have not tenants in England, Scotland, and Wales an equal right to the advantage of borrowing money at 3 per cent., or do you put a premium on agitation? Are the tenants in England and Scotland to take to heart the lesson that if they carry an agitation to extremity, they may hope to have a similar advantage conferred upon themselves?

(6.50.) Mr. A. J. BALFOUR rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

(6.53.) The Committee divided:—Ayes 216; Noes 157.—(Div. List, No. 125.)

Question put accordingly, "That the word 'guaranteed' stand part of the Clause."

(7.6.) The Committee divided:—Ayes 232; Noes 138.—(Div. List, No. 126.)

It being after Seven of the clock, the Chairman left the Chair to make his Report to the House at Nine of the clock.

EVENING SITTING.

ORDERS OF THE DAY.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

Committee report Progress; to sit again upon Monday next.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE INDIAN OPIUM TRAFFIC.

*(9.0.) SIR J. PEASE (Durham, Barnard Castle): Although it has fallen to my lot on several occasions in years gone by to address this House upon the question of the Indian opium trade, I think I may honestly say that I never rose in my place for this purpose with so much feeling of responsibility on my shoulders as I do at the present moment. The House is well aware—individual Members are well aware—of the very large and increased interest that has been taken in this subject during the last two years, especially by the Christian Churches of this country; and I felt—on finding my own table as well as the tables of my Friends who are supporting this Motion on both sides of the House, covered with letters and Petitions—how very little any poor ability I may have is worth in representing that which so many of the best people of this country have laid earnestly to heart. This question has never been a Party question. My hon. Friend the Member for Kirkcudbrightshire, on the other side of the House (Mr. Mark Stewart), was dealing with it before I dealt with it. My hon. Friend the Member for the Honiton Division of Devonshire (Sir John Kennaway), who has just entered the House, took a considerable and leading part in the question before I did so. My hon. Friend and relative the Member for the City of London (Sir R. Fowler), who supports me, and who is moving an Amendment to my Resolution, before any of us, I believe, took a part in the discussion of this opium question. I am now about to attack the entire Indian opium question. I look upon India and this country as inseparable, though that doctrine is not popular with some of my friends. But I believe it is a doctrine we have to maintain. I hold that we have to look at the interests of India and the interests of this country as identical. We, practically, appoint the Government of India; we, practically, make the laws which govern the Government of India, and we are responsible for the fact that all things go on in India under the jurisdiction of this country. In the first Resolution that I placed on the Paper, I did not propose to deal with what is called the Malwa opium question — that is, the transit duty on the opium coming out of the independent States—but on looking further into the question I found that it was so intimately connected with the Indian opium question that although, if I drew degrees of morality, I should not think the Malwa question is as immoral as our Indian opium cultivation and trade. I felt it was so bound up with the whole matter that it was necessary to deal with the Transit Duty as well as the cultivation of the poppy in India by the Indian Government. I think I shall show that the Malwa Pass Duty is as open to attack as any portion of the Opium Revenue. I say we cannot separate the Government of India from our Government. I look upon our connection with the manufacture of this drug as most wretched and wicked. We cannot look upon the moral question with indifference. My object will be to show that opium is a drug, that it is to be treated and used as a drug if it is to be used, but that its abuse is universally the source of human misery, demoralisation and crime. We must admit that, as a nation, we have, for the sake of pecuniary gain, fostered, promoted and encouraged the growth of the poppy and the sale of the poppy. There is no similar case in the whole history of this country where this country has become a trader in the most obnoxious article you could imagine, a trader in an article which has done damage to mankind wherever it has been introduced. We not only license the land, but we pay subsistence to the planter; we manufacture the article, we sell it for consumption, we store it in the warehouses, we send it in such quantities into the

market as we feel will keep up the market price and value, we advertise the article on the main line of railway from Bombay to Baroda. On our railroad placards are posted in three native languages, showing the native traveller where he can purchase this article, and we are traders in every respect in this article. I ask the House—suppose we had the entire whiskey trade under the management of this House, would there not be a great outcry in the country? Opium is far worse than whiskey. ["Oh!"] Some hon. Gentleman says "Oh!" but I will prove before I resume my seat that opium is far worse than whiskey. I merely take it as a parallel. If this House had all the whiskey distilleries of the country in its hands and advertised their whiskey—advertised it as the Indian Government do opium—what an outcry there would be amongst civilised people and amongst every one interested in the promotion of temperance and morality. I say, and I shall try to prove, that for this greed of gain we have sacrificed every principle of political economy—that we have sacrificed every principle of morality, and that we are sacrificing every principle of Christianity. Now, I lay down as the moral law that, whatever other nations may do, it ought to be no guide to us. It is no argument for us to do wrong. It is no argument for our supplying China with opium that the Chinese are growing opium themselves. It seems to me we have no alternative but to wash our hands of a traffic which is a disgrace to our Christianity and our morality. We ought to deal with this drug as a poison. In this country the seller of opium must be a registered chemist. If he dies his death has to be reported. Opium is scheduled as a poison in the 31st and 32nd Vict. c. 121. Every box, bottle, vessel, wrapper, or cover must be labelled "Opium—Poison," and be marked with the address of the seller. The *Lancet*, in a recent number, confirmed this view and said, "Opium is from first to last a drug and a poison." Perhaps there is no testimony more affecting than that of the unhappy Coleridge. He said—

> "I used to think the text in St. James that 'he who offendeth in one point offends in all' very harsh, but now I feel the awful, the tremendous truth of it. In the one crime of opium what crimes have I not made myself guilty of? Ingratitude to my Maker; to my benefactor, injustice; and unnatural cruelty to my poor children; self contempt for my repeated promise—breach, nay, too often, actual falsehood. After my death I earnestly entreat that a full and unqualified narration of my wretchedness, and of its guilty cause, may be made public, that at least some little good may be effected by the dreadful example."

Sir George Staunton, the representative of the East India Company at Canton, said many years ago—

> "It is mere trifling to place the abuse of opium on the same level with the abuse of spirituous liquors. It is (*i.e.* the abuse) the main purpose in the former case, but in the latter it is only the exception."

Sir Thomas Wade, who represented us for many years in China, gave evidence before a Select Committee of the House of Commons on the subject. The Committee in their Report said—

> "The demoralising influences of the opium trade are incontestable and inseparable from its existence."

Sir Thomas Wade said—

> "It is to me vain to think otherwise of the use of the drug in China than as of a habit many times more pernicious, nationally speaking, than the gin and whiskey drinking we deplore at home."

The late Rev. Dr. Williamson, an extensive traveller and experienced missionary, said—

> "Its tendency to crime is most appalling. It loosens all sense of moral obligation. There is hardly an evil which I have not heard or seen perpetrated by these infatuated mortals."

I put it to the House that opium is a most excellent medicine and drug, but it has to be used with the greatest possible caution. If any hon. Member feels any doubt as to the medical testimony on this subject, I would refer him to the wonderfully good speech delivered in this House by Lord Shaftesbury—then Lord Ashley—in 1844, in which he stated the opinions of all the greatest medical men of the day. It is a drug which cannot be used by any man with impunity for very long; it deteriorates the constitution, and unfits a man for all the duties of life. I intend to prove to-night from the history of China, Java, Burmah, California, and our own colonies in Australia, the evil that is done by this drug in which we traffic. I have received during the last few weeks appeals on this subject from the Chinese Christians of Hong Kong, from the Christian Churches at Shanghai, from the Christian Churches at Canton, from the Pekin Anti-Opium Society, and I yesterday presented a Petition, with 1,100 signatures, from Singapore deploring the trade, and imploring the Government to put a stop to the importation of Indian opium. During the last few years I have presented Petitions to this House from the Convocations of York and Canterbury, from the Wesleyan Conference, the Free Church Methodists, the Baptists, the Congregationalists, the Presbyterians of England, the Scotch Church, the Free Church of Scotland, Cardinal Manning, and all the Roman Catholic Bishops of the United Kingdom, the Unitarians, the Society of Friends, the missionaries in China, the Bishop of Bombay and 300 clergy of Bombay. In 1883 I presented a memorial to the then Prime Minister signed by 3 Archbishops, 12 Bishops, several Peers, 60 Members of Parliament, and 30 Mayors and Provosts. I think that shows how very strong the feeling in this country is. I have just received a telegram from Bombay stating that a meeting has been held there to-day, with the Bishop in the chair, which unanimously voted in favour of my Resolution. I presented to this House a Petition signed by a large number of the principal clergy in this great City of London. It was signed by the Dean of St. Paul's, the Archdeacon of London, Canons Newbolt, Russell, and Lang, the Archdeacon of Middlesex, Canon Furse, and the Rev. E. Carr Glynn. I presented to this House this afternoon a Petition signed by 4,100 inhabitants of India. I have looked carefully through the Petitions, and I have presented between 400 and 500 within the last few days to this House—and I never saw such Petitions in my life, in the long experience I have had in this House. They are signed by clergymen of all denominations, and by the leading inhabitants of towns. I have received them from Argyllshire in the North, to Devonshire and Cornwall in the South and West. Every Member of this House has been receiving Petitions from his constituents on this subject. I have never seen, since I have dealt with this subject, so much enthusiasm in the country, and I have never had so many prayers forwarded to me for the success of this Motion as I have had during the last few hours contained in letters and telegrams from all parts of the country. I will not go into the question of the opinions of statesmen, because there has never been a statesman on either side of the House who has ever dared to say a word in favour of the morality of this trade. We have had the pecuniary argument over and over again. With that pecuniary argument I will presently deal; but what I have to prove at the present moment is what are the effects of the opium trade when it has taken hold of a people. As regards China the history of the opium trade there is a very simple, but a very terrible one. Up to 1858, it was a contraband trade. It was one of the grounds for the impeachment of Warren Hastings. In 1820, opium smoking was almost unknown in China, and our trade with China in that year was 3,000 chests. In 1839, the date of the first war, it had reached 31,000 chests. In 1856, although it was contraband, it had reached 60,000 chests. The trade was legalised in 1858, and by 1862 it had reached 75,000 chests, and in 1879 it was 94,000 chests, and it continues at about 80,000 chests. But we have taught the Chinese to grow more of it for themselves. The Convention of Chefoo was made by Sir Thomas Wade in 1876 with the Chinese Government, under which it was proposed to leave the Likin opium duties in the hands of the Chinese Government themselves. Sir Louis Malet, in one of his very clear Memorandums, laid down the view that after careful reading of the Treaty of Tien-Tsin he was of opinion that the Chinese had a perfect right to impose any Likin duty they liked. The English Government refused to ratify Article 3 from 1876 to 1885. Hon. Members who took an interest in the question will recollect that some of us, year after year, from 1876 to 1885, never left the Governments alone on the question. It was contrary to the policy we pursued between India and China, and they resisted it. For nine years we held out, because, as Lord Salisbury said, we should neutralise all our policy with regard to this drug. We deprived the Chinese during these years of their power of unlimited prohibition; we drove them to cultivate their own opium. They raised the Imperial Tax of 30 taels to 110 taels by adding a fixed Likin duty of 80 taels per chest. After May 6th, 1890, either party may terminate the Chefoo Treaty, by 12 months' notice, but then we fall back to our old position under the Treaty of Tien-Tsin. What has been the effect of this opium trade on China? Out of an enormous number of testimonies which I have collected I will give a very few, and I believe I have taken them honestly, selecting them by date over a considerable period. The late Dr. Medhurst said—

> "That, calculating the shortened lives, the frequent diseases, and the actual starvation which are the results of opium smoking in China, we may so venture to assert that this pernicious drug annually destroys myriads of individuals. Slavery is not productive of more misery and death, than is the opium traffic, nor were Britons more implicated in the former than in the latter. Those who grow and sell the drug, while they profit by the speculation, would do well to follow the consumer into the haunts of vice, and mark the wretchednesss, poverty, disease, and death which follow the indulgence, for did they but know the thousandth part of the evils resulting from it they would not, they could not continue to engage in the transaction. It has been told, and it shall be rung in the ears of the British public again and again, that opium is demoralising China, and become the greatest barrier to the introduction of Christianity which can be conceived of."

Dr. Osgood, who in 1879 was chief Medical Missionary at the Shanghai Hospital, wrote—

> "I hope I shall not be accused of egotism or cant when I write that in my opinion the use of opium is an unmitigated curse. I have never heard a heathen Chinaman defend the use or sale of opium, but on the contrary, they universally condemn them. The only apologists have been representatives of Christian lands."

Many of the North countrymen in the House would know the name of David Hill, a well known Dissenting minister at York. His son gave me the following, and I asked him to write it down. He was a missionary in the centre of China—

> "The effect of opium smoking among the Chinese has again and again been depicted to the British public in strong and earnest language; never, I think, too strong, certainly never too earnest. No language could fully picture to others the deplorable consequences of opium smoking, which I myself have seen in China, even in the case of some of my own Chinese acquaintances."

That gentleman told me that when he went into one of the interior provinces, the city walls were placarded with papers warning the people against his coming, as it was the missionary who brought the opium trade, and who brought Christianity. The two things were coupled together, and if we are a Christian people, which I trust we are, I trust we may take away from ourselves the curse of preventing the spread of what we believe to be the purest form of religion amongst these poor heathens. I have several more quotations. Mr. Frederick Porter Smith founder and manager of the Hankow Medical Mission Hospital, Central China, said—

> "I wish to place on record that after an intimate acquaintance with the people, the literature, the language and the commerce of one large province of central China, I am compelled to describe the infatuation, the miserable saturation of the country, the change of type of the character of the nation, and the miseries wrought upon individual habit, constitution, temper, and fortune, all exhibited in the course and consequences of the vice of opium smoking in China, as forming an unique instance cf national lunacy and suicide. No epidemic possession of any people or sect reads with such terrible details as are afforded by the simple story of this horror. At the same time I protest against gratuitous exaggeration being imported into the question, now able to take care of itself."

Dr. Pringle wrote to the Lord Mayor—

> "If those who have spent, as I have spent, 30 years in India, came forward on behalf of poor China, I am certain a weight of practical evidence would be forthcoming which would swamp anything that can be opposed to it, and would end in the Government of India washing its hands of what, without doubt, in these days of increased education in India is viewed as a sad blot in the rule of a Christian Power."

Some time ago a Petition was presented to this House signed by all the Protestant missionaries in China. I will only read one or two extracts:—

> "The connection of the British Government with the trade in this pernicious drug creates prejudice against us as Christian missionaries, burdens our work. It strikes the people as an inconsistency that while the British nation offers them the beneficent teaching of the Gospel it should, at the same time, bring to their shores a drug which degrades and ruins them."

They describe opium as—

> "A great evil to China, and that the baneful effects of its use cannot be easily overstated. It enslaves its victim, squanders his substance, destroys his health, weakens his mental powers,

lessens his self-esteem, deadens his conscience, unfits him for his duties, and leads to his steady descent morally, socially, and physically."

That was the evidence of the missionaries—there was a stronger testimony even than that. It was a letter from Archdeacon Wolfe of the Chinese Mission. He says—

> "The people are being ruined by it, and it is indeed a lamentable spectacle to see professing Christian men speaking and writing in defence of the horrible crime. The pernicious results of this soul and body destroying vice are apparent all around. Cadaverous-looking faces meet one on every side, and the slovenly habits and the filthy appearance of the people generally testify too plainly to the evil it is working on this once industrious and energetic population. The rapid progress which opium smoking has made during the last 20 years among all classes of this population is a very serious matter for us missionaries. Humanly speaking opium smokers are beyond the reach of conversion, as the vice unfits them for the perception of any moral or spiritual truths. Can the Church of Christ in England do nothing to influence the nation to withdraw from the abominable traffic which is causing so much moral, spiritual, physical, ruin to this great people. It is a sad reflection on the Church of Christ in England that it seems powerless to influence the English people in so important a matter as the Indian traffic in opium. Almost the entire population in some places is abandoned to the use of this poisonous drug. The effects are witnessed in the extreme poverty of the people, in the broken down and dilapidated dwellings all through the village, and in the gross immorality which prevails amongst the inhabitants. Even openly and without shame they prostitute their wives in order to secure for themselves the means of indulging in opium smoking. Little children are sold as slaves and turned away from the embrace of their helpless mothers in order that their degraded fathers may have money to buy opium. And this and much more may be told of the effects of opium smoking on the miserable people; yet professed Christians in England see no harm in it, and openly advocate the abominable traffic which makes it possible, and comparatively easy, for the Chinese people to ruin themselves and their wives and children for time and for eternity."

It may be said, on the other side, that this state of things in China does not entirely arise from our action with regard to the traffic in opium. Certainly not, and no one for a long time has said that it did; but, at any rate, we are participators in that trade. We are sending 80,000 chests of opium a year to China, and, therefore, are helping largely to produce that state of things. The Indian Government are trying to make a profit out of that trade, and although it is becoming smaller, we are keeping it up as much as possible. There is one argument which has been used in this House again and again, I will not attempt to go into it. I think I hear the voice of the hon. Gentleman the Member for Kirkcaldy (Sir George Campbell). I remember that he said a few years ago that it was better that the people of China should be poisoned by our good opium than by the bad opium they produced themselves. That may be regarded as an argument by the hon. Gentleman, but I do not think it is one that will have the assent of the House. I will refer to a statement made by a well-known writer in a publication, the last edition of which I had the honour of publishing in conjunction with my late excellent friend who, I may say, was one of the greatest ornaments this House has ever had, the late Mr. John Bright. Mr. Dymond, in his *Essays on Morality*, says—

> "If I were to sell a man arsenic or a pistol, knowing that the buyer wants to commit murder, should I not be a bad man? If I let a house, knowing that the renter wanted it for purposes of wickedness, am I an innocent man?"

Mr. Dymond treats the argument that if we did not do it some one else would, as follows:—

> "Upon such reasoning you might rob a traveller on the road, if you knew that at the next turning a foot pad was waiting to plunder him. To sell property or goods for bad purposes because if you do not do it some one else will, is like selling slaves because you thought it criminal to keep them in bondage."

Now, Sir, I have done with the case of China, which I have only used as an illustration of what the traffic in opium does. I have not said we could get the Chinese Government to alter their plans. I have not said we propose to try to get the Chinese Government to do so. My case is that we ought to put our house in order, that we ought to have clean hands in regard to this business, and it does not make the slightest difference to us as to what we ought to do when it is said that China now grows opium for herself. Let us, if we can, be moral and do what is right, independent of all other considerations. I now come to Burma. There can be no doubt that we introduced the opium trade into Burma. An official Report of the

Government in 1870, states that "Opium eating is not a Burma habit: it is a new vice." The Report of the Burma Baptist Missionary Convention in 1866, states that—

> "The Burmese, as a race, were remarkably free from the use of intoxicating drinks and drugs 50 years ago."

The Rev. C. Bennett said—

> "When I first arrived in the country in 1830, opium was rarely used, and almost entirely confined to Chinamen. There were, however, a few Burmese who used it, and they were looked upon by their countrymen as outcasts, and worse than thieves."

It is said that we are trying to prevent the use of this drug in the opium houses, that we have ceased to licence a great number of them, but still the number of opium houses in Burma is almost kept up, and the smaller number of houses by selling to others vend almost as much opium as was formerly sold by the larger number. A late traveller in Burma states:—

> "It is perfectly true that there is only one opium shop in the Akyab district dealing directly with the Government. But this opium shop distributes the Government opium to many hundreds of other shops. I myself saw yesterday at Akyab 50 of these dens in less than 45 minutes. The number of smokers in each den was from four to eight. The great majority of them were Burmese. These 50 dens lay all around one of the chief Police Stations of the district, and within a gun shot of the Custom House. Mr. Htoonkyawoo told me that his estimate of the number of dens in the Akyab district, the town included, was at least 1,000, all supplied by the one licensed shop which appears in the Government Report. If this rate is correct the 30 shops we have been told so often are the only ones in Burma represent 30,000 others. Certainly I can scarcely imagine any town in China worse than the portion of Akyab that I visited. The shops lay three and four together, and entire streets seemed to consist to a large extent of these opium dens."

I have always wondered how any Member of this House can get over the testimony which has been so often read of Sir C. Aitchison, although in my opinion his testimony is not so strong as that of some of his subordinate officers. He shows in the Report I hold in my hand, but which I will not read, that the land is in danger of going out of cultivation owing to this drug. That the people are emaciated by it, that it saps both physical and mental energies, that it predisposes them to disease, induces

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indolent and filthy habits, destroys self-respect, is one of the most fertile sources of misery, destitution, and crime, that it fills the gaols with men of relaxed frame predisposed to dysentry and cholera. This Report is more than confirmed by those of the subsidiary officers who furnish information on the same subject. But I may be told that the Burmese people are weaker people constitutionally than the Chinese; but surely difference of constitution cannot account for one people being benefited by the drug, and the other being materially reduced in their moral and physical being. I see that in the Government proposals with regard to the people of Upper Burma, there is a Report signed by Lord Dufferin, C. P. Ilbert, T. C. Hope, A. Colvin, G. Chestrey, and J. B. Peile. They say—

> "No shops whatever will be licensed for the sale of opium, inasmuch as all respectable classes of Burmese are against legalising the consumption of opium in the new province. Any one found selling opium to persons other than to Chinese, or transporting opium in quantities above three dollars, or keeping a saloon for consuming opium, will be liable on conviction to a fine not exceeding Rs 500 or three months rigorous imprisonment, or both. As traffic in opium was absolutely prohibited under the Burmese Government there will be no hardship in thus proscribing opium dealings."

This Report is written and signed by the Governor General of India, the very country for which we are trying to keep up the opium revenue. I think I have proved that this traffic has done great damage both in Burma and in China; and I say the time has come when we ought to wash our hands of any participation in a traffic which produces so much moral and material injury. I do not propose to deal with the damage done to the people of India. That point will be taken up by my hon. Friend who is to follow me. We know the effects that have been produced, not only in those places but amongst those who have gone forth to our colonies in different parts of the world. Only the other day a very curious piece of fresh evidence came to my notice. In the month of March, meetings were held in the City of Amsterdam for the purpose of inducing the Dutch Government to put a stop to the opium trade in Java. Java, in 1815, had an English

Governor, Sir Stamford Raffles, who put down the opium trade by decree. In 1816 it was opened again by protests from Bengal. The Dutch Government rule in Java over 22,000,000 of people, amongst whom are 250,000 Chinese. Services were held in Amsterdam at nearly every church, and meetings were held for the purpose of impressing upon the Dutch Government the necessity of stopping this iniquitous trade, which, as I have already shown, was re-opened in consequence of protests from the Bengal Government. In California there are, as we know, a large number of Chinese, and there was a municipal law for the suppression of the vice of opium smoking. That law afterwards became a Statute of the State of California. It enacted that--

"Every person who opens or maintains, to be resorted to by other persons, any place where opium or any of its preparations is sold or given away to be smoked at such place; and any person who at such place sells or gives away any opium or its said preparations to be there smoked or otherwise used; and every person who visits or resorts to any such place for the purpose of smoking opium or its said preparations is guilty of a misdemeanour, and upon conviction thereof shall be punished by a fine not exceeding 500 dollars, or by imprisonment in the county gaol not exceeding six months, or by both such fine and imprisonment."

These people have taken the bull by the horns and endeavoured to put an end by law to a vice which was deteriorating and demoralising their population. Having now dealt with Java and California, I come nearer home. The other day I had a call from a gentleman who was lately a member of the Victoria Government at Melbourne. He showed me this letter, addressed to him on leaving Australia.:—

"My Chinese friends, who are working with me to secure the removal of the opium curse, desire me to take this opportunity of wishing you 'fair wind and favourable tide' both on your voyage to the land of your fathers and on your return to this, the land of your adoption; and I thank you very cordially for the warm sympathy, wise counsels, and powerful assistance you have rendered the cause of our suffering countrymen ever since the commencement of the movement for the prohibition of the accursed traffic in this and the adjacent colonies. But much as we know you have done, we feel sure that you will be only too glad to do much more to forward the cause of the poor victims, wherever and whenever opportunity offer you; we thought, therefore, that as you are proceeding to the United Kingdom, which still holds the key to the whole situation, we would be failing in our duty if we do not entrust you with the prayers and tears of the thousands of victims, in this colony alone, who are held spell-bound by this fell-destroyer. You yourself have seen its terrible havoc in your midnight visits, and can therefore make far more forceful representations to the Powers that be, than any description of mine."

That letter is signed by a Chinese gentleman, one of the leading Chinese Christian men in Australia. What is the history of the deputation to Mr. Deakin, who was then a Member of the Government in Victoria? These gentlemen who compose the deputation speak in exactly the same way as our missionaries in China speak. The Rev. Mr. Allen speaks similarly, and so does Canon Parker and another English gentleman. Then what does Mr. Deakin, speaking for the Government, say in reply to this deputation? I dare not read, what I should like to read, some extracts from the speeches on this occasion, as I feel I am occupying the time of the House. The Governor says—

"There was but one feeling amongst the Government on the subject. He did not think, however, that the sum of £20,000, or, to be correct, £18,000 a year was a sum to be depreciated, and he did not think that Parliament, or the Government would be called upon to throw away that sum unless occasion justified it. In this case the moral weight which attached to the objections to the traffic, which had been properly termed infernal, made the point one about which there could not be the slightest difference of opinion."

Thereupon the Government of Melbourne addressed a letter to the other colonies asking them to co-operate in their representations, in order to put an absolute prohibition upon the sale of opium in those colonies. Sir, I cannot understand how right hon. Gentlemen on the other side of the House, and hon. Gentlemen here, can come down to this House after all that testimony from China, and all that testimony from other parts of the world which I have read, and say that there can be any justification of this opium trade, except it is used for recognised and legitimate purposes. It would not be for me, for one moment, to depreciate the very distinguished Indian services of my hon. Friend the Member for the Evesham Division (Sir Richard Temple). His name will ever be associated with

Indian history; and with regard to my hon. Friend behind me (Sir George Campbell), I must make a similar observation. But Sir Cecil Beadon, in his evidence before the Committee which dealt with this subject, says that the Indian Government looks for revenue, and he does not hesitate to say that the consequences of the opium trade do not come before the Indian Government. Indian officials in this House generally take that view. They tell us there are people who consume opium with great advantage to themselves. I do not believe it for a moment. But they tell us so, and they think they have seen it. The medical evidence is entirely on the other side; but, even if it be so, the proportion of those who receive benefit from the use of opium is infinitely small compared with the thousands upon thousands who are demoralised by it. China has made a Treaty with America prohibiting the importation of opium; England has made a Treaty with the Corea prohibiting opium. I am not going into the question of our Treaties or our commerce, as I see my time is limited; but it is a fact that our trade with China has not increased at all during many years past. It is less than it was in 1868. We have a trade with Japan; we have been prohibited by our Treaty to introduce opium into Japan. Our trade with Japan in 1868 was £1,200,000; our trade in 1889 was £4,000,000. I believe we are standing very much in our own light in regard to this traffic. If the £11,000,000 in silver which China pays us for opium were paid to us for goods from Manchester or Leeds the results would be very much more beneficent, and it would be very much better for this country. I shall now endeavour to touch on the Malwa question, and I will tell the House why I have incorporated the Malwa Duty in my resolution. I have done it for this purpose: I find, from the Report on the Moral and Material Progress of India in 1888-89, that the native States engaged in the cultivation and production of opium so arranged and managed it as to safeguard the British Revenue, and in exchange for this service they received compensation in money or in some other form. What has been the course of the Malwa Duty? The Malwa Duty was 650 rupees; it was raised to 700 rupees, again reduced to 650 rupees, and now is 600 rupees per chest. In 1880-81 there was a trade of 46,000 chests; in 1889-90 it got down to 30,000; and it is now down to 28,000 chests. By lowering the duty we get more transit duty on opium, to poison still more people, although we get less money for doing so. A late traveller in Rajpootana says—

> "The condition of the people is deplorable. The Rajpoots were called a people fit to succeed the English. The poppy grows on their finest land. Instead of food being grown and stored in good years, the poppy is in possession."

The last famine in Rajpootana was owing in great measure to this cause. Opium takes up the cotton and food lands. Lately cotton and food are turning out the poppy, and food has gone down 25 per cent in price. What do the Governors of Native States get out of the trade? The selling price in 1888 and 1889 was 1,120 rupees per chest. The Pass Duty was 650 rupees. The cost to the Indian Government over 10 years has been 390 rupees, or, latterly, 410 rupees the chest; but, taking it at 390 rupees, we walk off with about £1,320,000, and hand over to these natives for their opium about £180,000. I do not think we are doing them a very great kindness, so far as the Pass Duty is concerned, in promoting the cultivation. Of course, the native Princes get a higher rate out of the land which is devoted to the cultivation of the poppy than when it is devoted to other crops. But there is a Memorandum, I see, by Dr. Keegan, who says—

> "The results of the depression of the opium trade in Malwa are far-reaching. The means of livelihood of a large body of cultivators who find themselves unable, with the low prices obtainable for the produce, to defray the expenses of cultivation and to pay the heavy State opium assessment are seriously affected, while the States whose revenues depend largely on their opium assessments are likely to find them considerably diminished."

Even with regard to Malwa we do not seem to be doing the people a very great kindness by levying a duty of even 600 rupees. These people are starving on the opium land; they are in a very poor condition, and they are demoralised. Well, now, I come to that more difficult part of my subject, and I own it is the most difficult—the Indian Revenue. The largest revenue that ever was obtained from opium by the Indian Government was in the year 1880-1, when they received from both sources, the transit duty, and the other source of revenue, cultivation, Rx8,451,000, from Bengal cultivation and the Malwa Pass Duty. The largest value during that period of the rupee was 1s. 8d., so that our Indian Revenue was over £7,000,000. But that Revenue has fallen very steadily. In 1888 and 1889 the two revenues together made Rx5,900,000, instead of Rx8,400,000, or about £4,500,000. The Budget Estimate telegraphed the other day put the sum at Rx5,300,000, or £3,989,000; you may call it £4,000,000, and that is the figure with which my Motion practically has to deal. This is a very awkward item in Indian finance. At least £2,000,000 has been drawn out of Stock in the last three years in order to keep up these revenues to about £4,000,000. That is about £500,000 a year that has been drawn out of Stock, which reduces the figures of the factors we have to deal with to about £2,500,000. But the amount in advances for cultivation in India is, I believe, even upwards of £2,000,000. The amount of capital invested in Stock is above £1,000,000. If you deduct the interest on that Stock and advanced for cultivation and the capital value of the works, you further decrease the sum with which we have to deal. I do not believe a wise accountant would put the Indian revenue at the present moment at more than £3,500,000, at the very outside. And that is the figure with which we have to deal, and it is for that amount we are doing so much mischief to mankind. Now, with regard to the Indian Revenue, I am very glad to see a surplus in 1890-91 of about £2,000,000. In 1889-90 there was very nearly the same surplus. It is a large surplus, and I have no doubt there are many uses in India for that surplus. But I think the Indian Revenue from this source is a doomed revenue. A Consular Report from Wanchoo, circulated to-day, states that, though the consumption of opium has increased, the consumption of Indian opium has very much decreased. What do our own people say? In the Report on the Moral and Material Progress of India for 1881-82, they say the poppy is being slowly replaced by the potato and sugar-cane—

> "The system of advances is reported to be the chief inducement to the cultivator to grow so precarious and troublesome a crop as the poppy. The efforts of the sub-agent to extend the poppy cultivation in Agra, Muttra, and Aligarh were not attended with success."

Sir Evelyn Baring in 1885 said a diminishing revenue might be expected. This was true, though the fact was not mentioned that it had sometimes been necessary to increase the number of cultivators in order to prevent a diminution of the area cultivated. The Indian Government has had to bear a reduction of the revenue from opium from £7,000,000 to £4,000,000, and I think it is reducible to about £3,500,000. The value of the drug has gone down considerably, and the quantity offered for sale has also gone down considerably. When I come to look at the finance of India there are several things which attract attention. One is the large amount which is constantly being placed annually on the revenue, which any Corporation, or other body, dealing with funds would place to capital and discharge over a series of years. The expense of the Army of India in 1881–82, after the Afghan War was 13,000,000 tens of rupees; in 1884-85 it was 16,000,000 tens of rupees; and in 1888-89 it was 20,000,000 tens of rupees. Therefore, the Indian Army alone has cost us £5,000,000 sterling more than it did after the Afghan War. Those who know anything about the Indian Army have always stated that very great economies could be effected and maintained without detriment, but with advantage to that force. There are points in connection with the Indian Army which, any man knows, ought to be attended to, and every man in India who has borne the name of a distinguished soldier has advocated economies and changes. My hon. Friend and relative, the Member for the City, (Sir R. N. Fowler), has placed on the Paper an addition to my Motion if it comes to be the substantive Question relative to subsidies from this country. I have always advocated that if we ask in this House the Indian Government to make a sacrifice on moral grounds, we ought to do as we did in connection with the slavery question—meet them by some subsidy. My hon. Friend has, however, drawn his Resolution a little too wide. If my Motion comes to be the substantive Motion, I think we should amend his by saying, "This House is of opinion that such annual grants should be made to the Government of India as the then probable amount of deficit and the then circumstances of Indian finance seem to require." I do not think the Indian Government can look, as I am sure they do not look, for a long continuation of this opium revenue; but the more I have looked into the question the more am I convinced that India itself would be a great gainer by doing away with a trade which demoralises its population, and certainly adds very much in many ways to its expenses and its charges. I trust I have proved that this trade in which we are engaged is the curse of China, has been and is, I am afraid, still the curse of Burma. My hon. Friend opposite (Mr. Mark Stewart) will prove it is the curse of India. It is being rooted out because it has been a curse in Australia; the Dutch are anxious to root it out because it is a curse in Java; and it is a curse to the American population in California. I have shown that every thinking man in whose opinion we place confidence—that certainly all the heads of our Christian churches—look upon this question as I look upon it—as a question of Christianity. I have also shown that the revenue for India is an uncertain one, that it is fading away, that the crop occupies good ground which ought to be devoted to more legitimate trade, and I trust I have shown it is a disgrace to Christianity. I am not advocating any breach of faith with those native Princes who have so often been loyal to the English Crown. I do not know what are the Treaties, or what may be the nature of the Agreements. I have not yet made use of the argument that there is a legitimate trade which would compensate us in some degree for the abandonment of the illegitimate trade. Surely we might do a legitimate trade to the extent of many hundreds of thousands of pounds by producing opium for medical use in India, to supply our legitimate trade at home and abroad! At the present moment medical requirements are supplied almost entirely by Turkey or Persian opium, the Indian opium being manufactured entirely for Chinese consumption. I appeal to Her Majesty's Government and to the House to do away with this horrible traffic, which is demoralising and destructive to mankind. I appeal on the ground of those laws which ought to regulate the dealings of mankind; and I appeal on still higher grounds. I appeal on a ground which is not often urged in this House, but a ground on which I believe I shall have the sympathy of a large number of Members in this House—the Christian ground. We call ourselves a Christian country, and I trust we shall long remain one. Many of my hon. Friends on the opposite side of the House maintain a State Church because they hold what I consider a beautiful ideal — that as a nation we acknowledge a Supreme Being and worship Him. In this House we have prayers read every day, and we pray that God's Kingdom will come upon earth. If we go on with this opium trade, we are not spreading God's Kingdom; we are spreading the kingdom of the devil. The evidence is strong in favour of the Motion which I have ventured to bring forward, and I pray that this House, in its wisdom, may see right to put an end to this traffic, which I have endeavoured to describe in language which I believe to be true.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House is of opinion that the system by which the Indian Opium Revenue is raised is morally indefensible, and would urge upon the Indian Government that they should cease to grant licences for the cultivation of the poppy and sale of opium in British India, except to supply the legitimate demand for medical purposes, and they should at the same time take measures to arrest the transit of Malwa opium through British territory,"—(*Sir Joseph Pease*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

(10.8.) MR. MARK STEWART (Kirkcudbright): After the very exhaustive speech of my hon. Friend I need not trouble the House at greater length than I can possibly avoid. In 1875 I brought forward a Motion for the gradual diminution of this trade, and had that Resolution been carried we should have been saved a great many heart-burnings and great difficulty in this question. To-night we approach a Resolution of a much more drastic character, and one which may possibly not commend itself to every Member in this House. I have submitted the Resolution which appears in my name on the Paper because I believe it to be a thoroughly practical one, and one which would have commended itself to the majority in the House. But having the honour to second the Motion, I wish to say a few words in its support. The point to which special attention is directed is this: That while the Government of India assert in this House that the opium revenue is diminishing, and that they are doing what they can to put down the opium traffic, we find a very much larger consumption of opium is taking place. If I take the instance of Lucknow I find that in the year 1883-84 there were only 12 shops licensed for opium smoking; in 1885-86 they were reduced to six, and in 1887-88 to three; but, on the other hand, the consumption in those shops very considerably increased, namely, from 36,000 toles in 1883-84 to 41,000 toles in 1885-86, and to 64,000 toles in 1887-88. This very large increase in the consumption of opium has nothing to do with China; and that statement must fill us with alarm and consternation. The only remedy for such a state of things is the suppression of the withdrawal of the manufactured goods. Opium smoking is considered a disgrace. It is said the only thing that saves the nation from utter extirpation at once is the virtue of their women, and if a woman smokes it is considered such an unrighteous and unholy thing that even opium smokers are dead against that view. I wish to direct attention to the case of Akyab, the capital of Arracan, in Lower Burma. They go about the country and establish centres, following the three great lines of railway. It was one of the strictest rules under the late King Theobald that no person should be allowed to smoke or chew opium, and that rule was rigidly enforced. Now we find that the consumption of opium in the district ruled by him had decreased largely, while in Burma it was rapidly on the increase. In Lower Burma the smoking of opium has increased since last year, and there is a very large increase in the amount consumed by the population over which this country bears rule. Now we are told by Government documents that opium is only sold to the Chinese, but that is not the case at all. I have seen numbers of Burmese go openly into the shops and buy opium. I have many cases on record where the consumption of opium is encouraged among persons who have not known its delights and pleasures before. These are at first given opium of much milder character and not so strong as other kinds, and after becoming accustomed and habituated to smoking this then they are given the opium of British India. There can be no doubt of the great facilities which are given now for the sale of opium among the native populations of India. Till recently there was little opium, comparatively speaking, used in India. There was a little used in the Punjab. But now it is calculated that something like 122,000 cases are consumed annually by the native population. That shows the enormous increase that is going on in the manufacture of opium. To curtail the facilities at present existing for its manufacture would not be so hard on the people as some persons might be disposed to think. There is an enormous quantity of the best land under the cultivation of the poppy, and a great deal of labour is required. Now, that labour could be utilised in growing food and cotton. Many parts of India, we know, are extremely cold, and the people are in a bad way when they cannot obtain warm clothes. It would conduce to the health of the people to put down the cultivation of the poppy in favour of the cultivation of cotton. We have an enormous amount of testimony as to the condition of the people owing to the opium trade, and we cannot question the value of these authorities. These men know the habits of the people, and can get at the popular mind and the popular wishes in a far better manner than ever before. Their unanimous opinion is that so long as the opium trade continues great evils will exist, and they are most anxious to do away with the whole thing. They say that it is a very grave state of affairs that we who set up to be the most civilised nation in the world should set such a bad example to these people, and that we are fast losing our character in all parts of the East. It is absolutely impossible to remedy this state of affairs as long as this opium trade exists. We should not make the natives bad by bringing in opium amongst them, but should encourage them to higher aspirations founded on better principles, and should introduce trade not mixed up with opium, and bring the people to truer lights. Some people say, "Well, after all, we have the consumption of alcohol at home to consider and get rid of before we go to India about the opium." ["Hear, hear!"] But the two things are quite different. The quantity of opium which would poison the whole population of London is 20 cases, whereas 20 cases of alcohol would only perhaps cause a few people to be locked up. Then, opium is despised among the people who employ it most. Again, the Government is not so mixed up with the sale of alcohol as it is with opium. If the Government were so much connected with the manufacture of distilled spirits in this country as they are with the manufacture of opium we should hear a great deal about it. But they do encourage the trade in opium. There are officials to examine the opium and pick out the good stuff. The bad lots are sold through India. The Chinese have a strange prejudice against us, and when I see that I say that something must be wrong. This is owing to the opium trade, and it is our duty to remove that prejudice. If we remove that prejudice they will enter more easily into commercial relations with this country. If we put a stop to the opium traffic we should have fewer people in our gaols and fewer people in our Lunatic Asylums. I think I might just mention another intoxicant—gamja—the manufacture of which has also increased, but I do not propose to go into that. Another point is this: It is often said the carriers in India are better for the use of opium; but the fact is, that those who have never had a dose of opium are better bearers than those men who are addicted to its use, and who without it would simply fall down and be unable to proceed another yard. Then with regard to fever, it is said by those experienced with the fever and malaria districts that those who do not eat or smoke opium are much safer than those who do. Just one word before I sit down upon our settlements and colonies, Singapore, Hong Kong, and Shanghai. The Local Government derive a large revenue from the sale and manufacture of this drug in these places; but in Rajpootana, where no opium is allowed to be sold, the state of things is much healthier. In regard to these settlements, a very remarkable movement took place on the 17th July in last year. A great number of the merchants met together to forward Petitions to the House of Commons of the British Parliament praying for the prohibition of the growth, manufacture, and sale of opium. That Petition was signed by 1,000 persons in a few hours, and amongst them were many opium smokers. I would also like to say a word about the opium farms of Singapore, because we are told the Government are doing all they can to discountenance the further sale of opium. These opium farms are tenanted by Chinese, and, as they are very poor tenants, the Government have lowered the terms to enable them to carry on their farming operations, which does not look like discountenancing the sale of opium. From Hong Kong the people have petitioned the House of Commons to pass a stern law prohibiting the manufacture and sale of opium there. Another Petition was against the use of the Chinese contract system. One Chinaman takes a contract, in consequence of which we are told there is only one contract; but this man may give 500 sub-contracts or licences, and he does so. In many cases contracts have been given in order to set up this trade until it is now almost impossible to stop it. I beg to apologise for having detained the House so long on a subject somewhat old, but I am firmly persuaded that the growing feeling in this country is such that it will force the hand of the

Government, and cause them to ponder before they allow this manufacture to go on. I am strongly satisfied the feeling is a ripening one, and that at the next election it will be made a test question in many a constituency. I do not say this for the purpose of catching votes to-night, but because I am representing what I believe to be the growing feeling and the demands of the country.

*(10.38.) DR. FARQUHARSON (Aberdeenshire, W.): I am very unwilling to give a silent vote on this occasion, because, in the first place, on my own side I have a strong conviction, and, next, because I feel placed in a position of some delicacy in this matter. Before I go further I wish, in justice to my constituents, to absolve a certain influential section of them of any complicity in the action I am taking, because—and I say it with deep regret—I am going against the wishes of a certain influential and respectable section of my constituency. I have presented to this House a large number of Petitions in favour of the Motion before the House, and I have had many letters from highly respectable clergymen in my constituency urging me to vote for this Resolution. It is only a strong sense of duty that compels me on this occasion to say a few words in opposition to the wishes of my best friends and supporters. But I think it is the duty of anyone who thinks he can say a word in defence of the position we take up in this matter to get up, regardless of the consequences to himself, and to say that word, as I hope I shall, in a straightforward manner. If all the statements made to-night could be proved, I should have no hesitation in saying I would follow my hon. Friend who sits below me into the Division Lobby; but these statements are founded on misconceptions; and, therefore, I shall feel it a duty to vote the other way. We have not had trotted out to-night the statement that we force opium upon the Chinese. I suppose that old contention is now given up. [*Cries of* "No, no!"] Well, I am sorry I have started that hare, because I am afraid I shall have to give it a little run; but, as I have pointed out before, and as the officials in charge of the Government of India have pointed out also, it is impossible for anyone now to say we have forced opium on the Chinese. [*A laugh.*] That laughter may be a convenient method of getting rid of an inconvenient question; but we can show upon eminent authority, adopted by Lord Ripon, that the opium war was a war of tariffs, and that the Chinese people had the opportunity if they liked of excluding opium from the 300 Articles; but they declined to give up the revenue, which they knew to be an important one, but one which, by giving 15 months notice, they can now put an end to. But we must look at this matter from a practical point of view, and see what the effect of giving up this revenue would have upon India. I prefer to take my views and form my conclusions upon the opinions and evidence given by the Governor Generals, and they tell us, and Lord Ripon, who is above all things a man of sober judgment, tells us in so many words that India would be bankrupt if we remove the opium revenue from it. There is nothing more taxable in India, and, therefore, the only way of getting rid of this opium revenue would be to tax the people of this country 2d. on the Income Tax ["Hear, hear!"] I am stating this as the only alternative. If England desires to do that they may, but I agree with the words of the late Mr. Fawcett, who said it would be in the highest degree absurd to spend money in stopping this traffic when we have at our very doors round the corner a traffic in alcohol, from which we derive an immense revenue, and which causes far more widespread misery than opium ever did or could do. There are only two alternatives in dealing with this matter. The one is to prohibit opium growing in

India, and that would be impossible, for we know that there are many large estates in India where the growth of opium is obliged to be permitted; and to prohibit the growth of opium, and thus make India bankrupt, would not be any benefit to China, because it is a fact well-known that two-thirds of the opium used in China is grown upon Chinese territory. We also know from the highest Chinese authorities that the issue of edicts against the growth of opium in China must be taken in a Pickwickian sense; they are issued for the delectation of the world, but not intended to be acted on, or, at all events, they have never been acted upon. If acted upon, I should like to know of any authentic case of a Chinaman being beheaded or put to death for breaking the law. The second alternative is to allow free trade in opium, to allow it to be grown freely and unreservedly throughout the whole country, and that would mean the demoralisation of the whole of India, as the people would at once largely grow it for their own domestic consumption. We have heard a good deal about opium absorbing fine land that might otherwise be used to good purposes. The fact is, that this land is also used for other purposes, as a crop of rice is invariably taken off the land before the opium crop is gathered; therefore the land does grow other things as well as opium. I think that those who have argued this question have not sufficiently considered it. What is the opium grown in India according to population? Habitual consumers of opium might use ten-parts of an ounce a day, but there is not enough opium grown in the country to demoralise so vast a population. What is the case with China? Sir Robert Hart told us that only 1 per cent. of the population of China smoke opium; and even if India imports ten times as much as she grows, the total supply would only account for 10 per cent. of the population. I leave the political aspects of the case, because those I am not so qualified to discuss, but I think I am entitled to say a word about the medical aspects of opium, because my labours in medicine have been devoted to the consideration of drugs and their properties, and I have taken the opportunity of getting the best assistance I could, and consulting the best authorities as to the effects of opium. One difficulty about the consideration of this question is, that I think many persons who talk about the use of Indian opium fancy they are getting the same thing as the Turkish drug from Smyrna. We know very well that the Indian drug is of such weak effect that it is never used in medicine in this country, there is no market for it. If you restrict the growth of the opium in India you would get no revenue at all, for the drug is too weak to be of any benefit in medicine, and when opium is used for smoking it is used as an extract. It is mixed with a number of other things which bear the same relation to opium that a glass of whisky toddy would bear to the spirit which was previously put into the glass. I do not know if any hon. Member has ever seen a person smoking opium. The quantity he uses is extremely small—a piece no larger than the tip of the finger is put into the pipe; the smoker takes one or two whiffs, enough to give him a pleasurable feeling and send him into a comfortable sleep. Very often the smoker, having for a time forgotten his troubles, rouses up again very little the worse for his indulgence. Whisky and opium are very much alike in their double action. Small doses are stimulative and restorative, but large doses are narcotic. It is in small doses for its stimulating effect that opium is taken, and there is a great difference between eating opium and smoking it—just the difference there is between chewing and smoking tobacco. If you chew tobacco you get a greater amount of the narcotic injurious principle into the system than you do if you smoke it, and it is the same with opium. Medical authorities have held that morphia, which is the active principle of opium, is not volatilised by heat at all, so that the smoke when carried into the lungs does not carry with it any of the active principle. I am sure the hon. Member for the Ilkeston Division (Sir W. Foster)—who seems to have been deserted by his medical colleagues, and who, therefore, has not the benefit of their advice in this matter—will confirm me in what I say about the medical aspects of the case. He cannot help doing it.

The political aspect of the case is a totally different thing. The physical vigour of people who eat opium has been disparaged. I know nothing about the Chinese, but I have travelled in Rajpootana, and I am bound to say a finer, more manly, vigorous, and splendid set of people I never met. We are also told of the terrible evils of opium eating in Burma, but a more charming people I never saw in my life than the Burmese. I go further, and am prepared to say that opium in small doses as a tonic or restorative is of considerable value in preventing ague. My hon. Friend who proposed this Motion said he could not believe that any persons could take opium with advantage. Let me mention a circumstance which came under my own observation. I was dining with a poor friend of mine, a man who was in consumption. He got through the early part of the dinner very well, but began to flag about the middle. He went out, and when he returned he said to me, "Do you know what I went away for? I went away to give myself a subcutaneous injection of morphia." When he came back he was cheerful, and was stimulated in a way I am sure no small dose of alcohol or a tonic could have stimulated him. I have not the least hesitation in saying that a moderate use of this stimulant preserved that poor man's life certainly for a year or two. I was very much surprised to hear from the hon. Baronet who introduced the Motion that opium was a worse evil than alcohol. I certainly admit with the hon. Baronet that the opium smoker, lying in a state of quiet, dreamy satisfaction, is quite useless, but he is not absolutely mischievous. He does not get up and beat his wife or kick her to death with his heavy boots. There is no crime that I am aware of specially connected with the use of opium. I should like to say most strongly that opium does not cause any of those destructions of tissue which alcohol does, and therefore, however much a man may suffer from the great evil of the excessive use of opium, there is still hope for him if he pulls up at last in his mischievous course. The same cannot be said of the alcohol drinker. If he amends he finds himself in a much worse physical condition than he was before he began to drink excessively. His liver and kidneys are crumpled and shrivelled, his heart is wrong, the tissue of his body has physically degenerated, and he dies a victim of the secondary results of that degeneration. I do not wish to detain the House any longer. I have shown the House that even the worst and most hopeless opium-eater may return to health. Some time ago I heard of the case of an old woman living in a low district who died at the age of 90, and who had been in the habit of taking some 200 or 300 ounces of opium *per diem*—[*laughter*]—of course I mean grains. Yet she carried on a laborious life, and died in the full odour of sanctity at the age of 90 years. And now I conclude. I have tried to prove that, as regards the Indian trade, the Chinese are practically in the position of local option—they can prohibit the introduction of the drug; that the evil effects of opium have been enormously exaggerated, and, thirdly, that the abandonment of the revenue derived from this source would make India bankrupt. Some part of the case, of course, depends on official evidence, and there are some people who think that official statements must necessarily be tainted. I have read statements to that effect; but I do not believe that an English gentleman drops all his veracity at his office door, and we are, in my opinion, bound to accept these statements from high-minded eminent officers who rule with honour and distinction various foreign lands under our sway. I think, too, that the Mover and Seconder of this Resolution may take some comfort from the belief that in 30 or 40 years matters will come round to the way they would wish, and the Chinese will grow all their own opium and want none from India, and thus there will come a natural end to a condition of things we deplore, but which, I think, is not so bad as has been represented.

*(11.2.) THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): I believe the House will expect from Her Majesty's Government some statement in answer to the strong appeals

addressed to the Government by hon. Members, although I very much regret that the task has fallen to me instead of to my right hon. Friend the Under Secretary for India (Sir J. Gorst) to make that reply. Still, I think I shall be able to satisfy the House that the Government of India is not bent upon demoralising the people of India and China by carrying on the opium trade, that all possible efforts are made to control and curtail this traffic with a view to restrain the consumption of the drug among their own subjects in India, and towards a gradual reduction of the export to China. The hon. Baronet the Member for the Barnard Castle Division does not now for the first or second time raise this question, and no one can doubt the entire earnestness and sincerity with which he has taken up this question. His sole wish is to remove what he thinks is a blot upon our national character, and to stop what he considers is a source of great mischief to all the people concerned. I entirely recognise his honourable object and his disinterested efforts to accomplish it; and if I demur at all to his statements of fact and point out the impracticability of the changes he proposes to introduce, I can assure him that in doing so I in no way depreciate his motives or doubt the nobility of the object he has at heart. It is quite true, as he has said, that there is among the public a growing interest in this question. I know that the public mind is more stirred in relation to this matter than I ever remember it to have been in former years; but I also think that, to a large extent, an artificial interest has been created, and the public mind has been influenced by many impassioned appeals that are not quite consistent with the real facts of the case. I judge this from many statements I have read and from a great many letters which have appeared in the public Press. Into these I will not enter at any length, but the House will remember that there is one allegation constantly made that we force our Indian opium on the Chinese. Now, that is not the fact, and the statement has been disproved over and over again. In former Debates it has been shown that in negotiating the Treaty of Tien-Tsin Lord Elgin expressly disclaimed to his secretary, who conducted the negotiations, any intention of requiring the Chinese to insert the article of Indian opium. It was entirely because the Chinese Ministers considered that they could not dispense with it that opium was an article included in the tariff. ["No, no!"] If that is doubted I can prove my statement from the Despatch from the Government of India, presented to Parliament in 1882. In this Despatch to the Secretary of State there is included a statement from Mr. Lay, the Chinese Secretary to Lord Elgin's Mission. He says—

> "All the negotiations at Tien-Tsin passed through me. Not one word upon either side was ever said about opium from first to last. The revision of the tariff and the adjustment of all questions affecting our trade were designedly left for after deliberation and arrangement, and it was agreed that for that purpose the Chinese High Commissioner should meet Lord Elgin at Shanghai in the following winter. In the meantime," Mr. Lay continues, "the preparation of the tariff devolved upon me at the desire of the Chinese no less than Lord Elgin. When I came to 'opium' I inquired what course they proposed to take in respect to it. The answer was, 'We have resolved to put it into the tariff as *yang yoh*' (foreign medicine). I urged a moderate duty in view of the cost of collection, which was agreed to. This represents with strict accuracy the amount of 'extortion' resorted to."

From that time to this it has rested on that footing. The Chinese at any time may terminate the Treaty on giving 12 months' notice, and to protect themselves they may increase the duty to any extent they please, or they may exclude it altogether. This, I think I may say: that if the Chinese Government thought proper to raise the duty to a prohibitive extent, or shut out the article altogether, this country would not expend £1 in powder and shot or lose the life of a soldier in an attempt to force the opinion upon the Chinese. I deny that our wars with China were on account of opium; our quarrels with the Chinese were on account of trade generally. Opium was only one item, and war was carried on in order to open China to trade generally, not for the trade in opium. The hon. Baronet condemns the practice of the Indian Government in respect to opium entirely, and in this he differs from the line taken on former occasions, by which he regarded the system provided in Western India in respect to the levying of duty on opium as comparatively unobjectionable. I am not concerned to weigh the difference in degrees of morality of the two systems. The cultivation is limited in Bengal to certain areas, the poppy is grown under licence, the produce is taken at fixed rate, paid for handsomely and sold at public auction. In Western India the poppy is grown in independent States, and by Treaty opium is sent through the Custom House, with a heavy tax upon it. What we have to consider is this: Whichever way we deal with this business it is in the same spirit, on the same principle that the Indian Government deals with opium and spirits as the Government deals with the Spirit Duty in this country. There are three ways of dealing with the trade in intoxicants and narcotics—things which may be harmless or even beneficial when taken in small quantities, but extremely injurious to human health and life if taken in excess. You can either forbid the trade altogether, you can tolerate it and not interfere with it, or you can regulate it. The course taken alike in this country and in India is to regulate the trade, to place upon these things the highest duty possible for them to bear without offering too great a temptation to smuggling. There is practically no difference between the system pursued in this country and in India, nor in principle any difference in the method pursued in dealing with opium in Bengal and in Bombay. I wish to point out, further, for the matter might be mistaken from what has been said in speeches by the hon. Baronet and my hon. Friend behind me, that in some States, such as the Great Mahratta States, by Treaty sufficient opium is grown for home consumption and none for export. My hon. Friend is mistaken when he talks of the amount grown in Rajpootana. In a great part the poppy is not grown at all, and in other States under Treaty they suppress the poppy on condition of being supplied with Malwa opium free of duty for their own consumption. But there were one or two things said by the hon. Baronet in his speech to which I must refer out of respect to him, for the serious nature of his speech requires that I should give attention to it. "Suppose," said the hon. Baronet, "the Government of this country had the whisky trade in its hands:" that would be the Gothenburg system, which some people advocate. I should not like the State either here or in India to undertake the sale and distribution of an article of the kind. It would have some considerations to recommend it, but there would be, I think, greater objections—for one thing, it would tend to demoralise the Public Service. The hon. Baronet has referred to an opinion expressed by Sir Thomas Wade; and I must admit that, in relation to matters connected with Chinese trade, this is an authority of the highest importance. If Sir Thomas Wade unreservedly condemned our position towards China that opinion is deserving of every consideration and respect. But let me remind the hon. Baronet of a passage in these Papers laid before Parliament in 1882, quoted from a Despatch from Sir Thomas Wade to the Secretary of State in 1881. Sir Thomas Wade gives an account of a conversation he held with the Chinese Ministers. He says—

"I went to the Yamen to speak of various matters. Four Ministers received me. Adverting to opium, I observed that the authorities in some places were taxing opium, native and foreign; in others were trying to increase the sale and consumption of both. Without at all denying the right of the Chinese Government to do as it chose, I should wish to know what course the Government approved? They said the question was embarrassing. The Chinese Government would be glad to stop opium smoking altogether, but the habit was too confirmed to be stopped by official intervention. No idea of abolishing the trade at present was in the mind of the Government. Alluding to the desire of well-disposed people at home to see England withdraw from the trade, I asked if it would be of any use to diminish yearly the export from India. The Indian Government might be thus enabled to provide otherwise for loss of income. They said so long as the habit exists, opium will be procured either from India or elsewhere. Any serious attempt to check the evil must originate with the people themselves. The measure I suggest would affect Chinese Revenue, but would not reach the root of the mischief."

Now, it has been said by the hon. Baronet to-night, as it has been said before, that we introduced opium into China. No greater mistake was ever made. We did not introduce it.

*SIR J. PEASE: The right hon. Gentleman will allow me to say that I never said so in my life.

*SIR J. FERGUSSON: I beg pardon; the hon. Baronet said, I think, that we had set the Chinese to grow opium.

*SIR J. PEASE: Yes.

*SIR J. FERGUSSON: Very well. Now, as bearing upon that, I may be allowed to say that Sir Thomas Wade told me to-day there is good reason to suppose that opium has been grown in China from time immemorial. In 1840, when the first Treaty was made, opium was grown 1,000 miles from the sea-board in the most remote parts of China, and equal to that grown in India. Clearly, then, we did not introduce the drug into China, and that statement has been made, though not by the hon. Baronet. It was an article of trade in the days of Queen Elizabeth, from what are now known as the Straits Settlements. The use of opium, like the use of spirits, has been the habit of people in parts of India from time immemorial. In the very early history of our occupation our officers seriously contemplated the cutting down of palm trees to prevent the distillation of ardent spirits. No one could respect more than I do the expression of opinion by Christian and Benevolent Societies on this subject. They no doubt feel strongly that we should not, by our policy, inflict injury on the people of India or China. But while there is the strong demand—the settled habit of people—for this drug, it is impossible to prevent its use without an exercise of force amounting to downright tyranny. As has been said by the hon. Member opposite (Dr. Farquharson) the moderate use of the drug is very common, and I am reminded of my own experience in India. Among the Rajpoots it is the universal practice to offer a drink of a solution of opium as a mark of hospitality. It is used as a sort of stirrup cup, a bowl being specially kept for the purpose of dissolving the opium in water. No one can say that it has had a demoralising and degrading effect upon the Rajpoots; there is no finer race of men in India. A warlike, manly, energetic race they are, and yet they are in the habit of taking this as a drink in the morning just as a man in England may smoke his pipe. It is quite true that one of the articles of impeachment against Warren Hastings was the sending of opium into China, but that is by no means any proof that Warren Hastings was among the first to send opium from India to China. It may be that the work of the missionaries is prejudiced by Europeans taking part in the opium trade, but if there was not a single chest of opium sent from India to China there would be a great falling off of Indian revenue, but there would be little diminution in the quantity used in China, because year by year the native grown opium is increasing, displacing the Indian opium, which under a high import duty is an expensive luxury. There is evidence that the Chinese grown opium will displace the Indian imports the low excise duty put upon it by the Chinese Government gives it a ready sale and promises at no distant period to displace the Indian opium. The fact is, there is in China, as elsewhere, several phases of opinion. There are those who disapprove of its use altogether, but there is also a large class interested in the cultivation, and think it ought to be promoted rather than discouraged. Burma has been mentioned to-night, and there is some confusion between the regulations in British or Lower Burma and the recently annexed province of Upper Burma. In Lower Burma the sale of opium is strictly regulated. There are only 20 licensed shops; and that the regulations are enforced is proved by the fact that last year 300 persons were prosecuted in Akyab alone for the illicit sale of opium. The shops are not kept by Bengalese, but by Chinese, for there is a large Chinese population, and the sale could not be prohibited without causing great excitement. In Upper Burma, on the other hand, the sale and use of opium was prohibited by former Kings through the influence of the priests; but, as a matter of fact, the drug was commonly sold and used. According to the Reports of officers, with which at this late hour I will not trouble the House, the Government have set about checking this illicit sale, but allowing a limited number of shops for the natives of China and India, who are accustomed to the use of the drug; but neither opium or spirits are to be sold to native Burmese. And yet it is made a reproach against the Government of India. You cannot govern a country upon abstract principles. You must deal with the country as it is. People have a certain habit, which you may discourage to some extent, and to some extent you may restrain it by making indulgence in the habit expensive. Finally, I come to the position the Government take on this question. It has been often before the House, and whatever Party has been in office the Government have recognised the evils that do attend on an excessive use of opium. The difficulties in regard to India have been often urged. The hon. Member opposite said just now that India would be bankrupt if an end were put to the opium revenue. That is an extravagant statement. The gross receipts from opium estimated for the present year, were about Rx.8,300,000, and the net revenue Rx.5,300,000. There is not only to be considered the revenue which India derives and which she will have to make up, but there is also the profit of the cultivator, as well as of the native States who grow, or who receive it from us and make a profit upon it, and the interests of all concerned cannot be disregarded in a proposal to sweep away the trade. You may withdraw a source of revenue, you may gradually wean the people to other industries, but you cannot with a high hand take away the means by which they live, and which they have been pursuing with perfect obedience to law for years past. In comparison with our own Revenue the amount which India derives from the opium trade may not seem a very large sum; but I would ask the House to remember that it is a fifth part of the gross Revenue of India received from taxation, and that surely is no small amount. In the next place, I would ask the House how they could propose to replace such an item in the receipts of the Government of India. It is well known it is very difficult to find a new item of taxation in India without seriously hurting the prosperity and comfort of the people. We have in recent years made many efforts for the defence of India; we are frequently called upon to do more in the way of work for developing the means of communication. The other day we were asked to reduce the Salt Tax. How can you hope to reduce the Salt Tax, which is so profitable, if you are constantly depriving the Government of more than £5,000,000? It is manifest that the postponement of the reduction of this tax on one of the necessaries of life must be for an indefinite time. The hon. Baronet spoke of the sum as £3,500,000 sterling; but the rupee goes as far in India as ever, notwithstanding the difference in exchange. You have to provide for the item in the Indian currency, and not in the British. How are you going to deal with the native States, to whom you have granted this revenue, because they will not be content to go without the profits they derived from the trade? It is evident it would disturb your relations with them, and that the amount that would have to be made up would not be confined to the loss of revenues in India, or even to the compensation of those who obtained a livelihood from the trade. These are very serious considerations. I freely admit that the Government of India have never denied that it would be very desirable that this source of revenue should be altered. They have taken means to reduce it. They have diminished the number of licences, and they diminished the area on which the poppy was grown. One million acres less are now under poppy in Bengal than ten years ago. I read to the House yesterday some statistics in regard to opium in the last ten years, which show that from 1881 to the present time the diminution in the total consumption in British India has been from 5,606 chests to 4,500 chests, a diminution of about 20 per cent., which I think shows that the measures of the Government have not been without effect. The change cannot be made suddenly; but it is being already made by degrees. The revenue of India, I am glad to say, has increased in the last five years by £7,000,000. I hope the work of development going on will cause it to increase still more. So that little by little this revenue which is objectionable in many ways, because it is the result of indulgence, no doubt will gradually be diminished. Before I sit down I will notice what was said by the hon. Member for Kirkcudbright as to the system in the Eastern provinces, particularly in Singapore and Hong Kong, where opium licences are farmed out, which probably furnishes too great an inducement and encouragement for the sale of the drug. The Secretary of State for the Colonies has, I know, expressed his dislike to the farming system, and he will call upon Colonial Governments to consider the practicability of substituting another system, and by fixing the price of the licences as highly as possible, thereby reduce the number. I think I have shown the House that the Government do desire to limit, and restrict, and regulate this traffic. It is impossible to abolish it straight away without great hardship to the Indian people unless, indeed, this House shall make good the loss. I remember, not many years ago, the right hon. Gentleman the Member for Mid Lothian expressed an opinion to that effect. Not only would you take away from India this profitable revenue derived from a common source, but you impose upon India the necessity of making up that revenue by taxing still more highly those people which some hon. Gentlemen opposite say are now overtaxed. Therefore, I think I may say this Motion should not be pressed as a Vote of Censure on the Government of India, seeing that their policy was tending in the direction which hon. Members desire to go, though it is impossible at one stroke to accomplish the object they have at heart.

(11.35.) Mr. S. SMITH (Flintshire): I think the House will agree with me that the speech to which we have just listened is a very fair one coming from a Government official, representing on this occasion the Government of India. I have to thank the right hon. Gentleman for the tone of his speech, for the courtesy with which he has treated our views, and for certain important concessions he has made. For instance, he made a concession that never has been publicly made in Parliament before, and which will be fruitful of very important consequences. He has told us, speaking on behalf of the Government, that we will never again fire a shot in China in order to insist upon their receiving opium. I wish to fix the Government to this most important concession, and I hope it will be made known throughout China and throughout all Asia tomorrow, that the British Government has practically repented of the policy pursued towards China for the last 100 years. I am bound now to ask the House to permit me, for a few moments, to criticise some of the statements of my right hon. Friend. I am sorry that we who are moving in this matter have to join issue absolutely with him, as to some statements which he puts forth officially on this occasion. The main statement which he made, which is always made officially in these opium Debates, is that this country has never forced opium upon China. I think that is a very startling statement to make in face of all the evidence that we have upon the subject. The right hon. Gentleman has referred to the opinions of Sir Thomas Wade, the British Ambassador at Pekin whom we have heard justly described as a man of great eminence, and whose opinion is entitled to the greatest weight. I am willing to leave the decision of this question entirely to the reported opinions of Sir Thomas Wade, and I hope the House will give me their attention for two or three minutes while I lay before them the opinions of our late highly respected Ambassador in China. We were told we used no compulsion under the Treaty of Tientsin. I think Sir Thomas was in China when that Treaty was agreed to. Here is what he wrote in 1868, in a Despatch to the British Government—

> "We are generally prone to forget that the footing we have in China has been obtained by force, and by force alone, and that unwarlike and unenergetic as we hold the Chinese, to be, it is in reality to the fear of force alone that we are indebted for the safety we enjoy at certain points accessible to our force. Yet nothing that has been gained, it must be remembered, was received from the free will of the Chinese; now the concessions made to us from time to time have been from first to last extorted against the conscience of the nation in defiance, that is to say of the moral convictions of its educated men, not merely of the office-holders, whom we call Mandarins, and who are numerically but a small proportion of the educated class, but of the millions who are saturated with a knowledge of the history and philosophy of their country. To these, as a rule, the very extension of our trade must appear politically, or which is in China, the same thing, morally, wrong, and the story of foreign intercourse during the last 30 years can have no effect but to confirm them in their opinion."

Does the Under Secretary agree with that opinion, that we have extorted every thing from China by force, that our action in China has always been contrary to the moral convictions of the country?

*Sir J. FERGUSSON: No doubt the introduction of Free Trade was unacceptable to the Chinese. What I said was that in no sense was opium forced upon them.

*Mr. S. SMITH: Very well, I will try again. Here is what Sir Thomas Wade stated in 1869. He reported to the Government that he had been complaining to the Chinese Government of their hostility to the trade, and here is the reply which he passed on to the British Government—

> "The Chinese Minister said how irreparable and continuous was the injury which they saw inflicted upon the whole Empire by the foreign importation of opium. If England would consent to interdict this case, either to grow it in India or to allow their ships to bring it to China, there might be some hope of more friendly feelings. They believed the extension of this pernicious habit was mainly due to the alacrity with which foreigners supplied the poison for their own profit, perfectly regardless of the irreparable injury inflicted, and naturally they felt hostile to all concerned in such a traffic."

That was the reason which the Chinese Government gave, and rightly gave, for their hostility. It is too late in the day now to be told that this country did not force opium upon China. The judgment of history has been passed upon it, and no historian of repute now would deny that our first war was entirely an opium war brought on by smuggling opium into China for 50 years, by defying the Chinese edicts constantly issued against it; and by forcing this opium upon them by traders, we at last brought on that deplorable war. The second war was at bottom and substantially another opium war, brought on by continuing this smuggling trade in defiance of all the edicts of the Chinese Government. I say we gained entrance into China for opium purely by force, contrary to the convictions of the people. Until we obtained entrance for it, opium was prohibited in China, the Chinese Government used its whole power to suppress the growth of opium at home, but at last it found it could not resist our pressure to legalise it, and it was vain to attempt to suppress it at home. Now I will pass to one or two other statements which the right hon. Gentleman has made to us regarding India. He tells us that the policy of the Government of India has been to regulate and to control the traffic in opium, and that if they had endeavoured to do more than that it would be considered an intolerable hardship by the people. Now, I deny that. I say the best proof of what the Indian people think of it is to leave them to decide it by local option. Leave to any town in India to decide by the voice of the people whether they wish opium shops open or not, and I do not believe you will find a single place in India that will not, by a practically unanimous vote, decide to close the opium shops. I do not believe there is one State in India that will not agree to the closing of these shops if put to the popular vote. Most Asiatic States that are free and independent have prohibited opium. The Burmese Government made it a capital offence to sell opium or to smoke it; but as soon as we got possession of Burma, what did we do? We spread the taste by the free distribution of opium cakes among the young people. We gradually developed this habit, that was almost unknown before, in an abominable manner; and over large tracts of that country we have brought misery and ruin in our steps. I consider our dealing with Burma in this whole question of opium disgraceful in the last degree. We have published false statistics on the subject, we have deluded the people of this country by putting forth the statement that we have only licensed 34 opium shops in Burma, whereas, the fact is, that these opium shops are distributing centres to a vast number of small dens. One gentleman in the single town of Akyab counted 50 opium dens in three quarters of an hour. Yet our Government declares there is only one licensed shop there. It is believed there are a thousand shops. And so all over Burma. I say we are thoroughly humbugged and deceived by official statistics put forward regarding opium in India and China. Now, we have been told there is a great decrease in the consumption in India. I am sorry to say I do not believe it. All the information accessible to me points in the opposite direction, and I must give the House some figures taken from the last Excise Reports of the Government of India. I ask the House whether they agree with the statement that the consumption of opium is declining in India? In the Presidency of Bombay the number of opium shops licensed was 652, and here are the Revenue Returns. For the five years ending 1882, the revenue was 51,000 rupees; for the five years ending 1887, 97,000 rupees. In 1888, 118,000 rupees; in 1889, 120,000 rupees; for 1890, 121,000 rupees; and the estimate for 1891 is 129,000 rupees, showing in the Bombay Presidency alone an increase of just 150 per cent. in ten years. I commend that fact to the attention of the Under Secretary for Foreign Affairs. Well, take Bengal. Here are the figures for 1887 and 1888, the latest years we have got. They were 4,137,000 in 1887, and 4,399,000 in 1888, an increase of 262,000 rupees. The increase for five years was 842,000 rupees. That does not look like a decrease. Here are the last figures I shall trouble the House with: They are for Lower Burma. In 1888, 17 lakhs of rupees; in 1889 they were 18 lakhs of rupees. That is an increase of 8½ per cent. In Arakan the revenue from opium in 1886 was 71,000 rupees; in 1887, 119,000 rupees; in 1888, 176,000; in 1889, 188,000; and last year 158,000. I am very much afraid that we are being deceived or misled by the Government statistics. It was my duty some years ago to analyse the Abkari statistics with regard to the liquor traffic, and I came to the conclusion that they were very untrustworthy, and I am very much afraid it is the same with the opium traffic. The fact is, that the demand in India for revenue is so constant and pressing that it leads to evasions; it leads to official colouring whenever desirable rather than allow the real facts to transpire. It is virtually impossible to get thoroughly straightforward Returns in a question of this kind. I think everyone who has had experience of Indian statistics will justify what I am saying. I freely admit that India is a very poor country, and that it is quite impossible for us to throw extra taxation upon India to the extent of £4,000,000 sterling. What we have to face is this: India will lose £4,000,000 sterling in our money by the abolition of the opium traffic. It is clear to me that if this country is to insist, as it ought to do, on the abolition of this traffic, this country must come to its assistance. I am quite sure that if the case were put straight and plain before the people of this country, if it was made clear that a great national sin had to be expiated, and that the cost was to be £4,000,000, there would be no difficulty in finding the money. The amount is a trifle in comparison with the amount of the wealth of this country. Our annual income is about £1,250,000,000 a year. Mr. Giffen puts the capital-value at £10,000,000,000 sterling. I therefore ask, would there be any difficulty in getting £3,000,000 or £4,000,000 a year? It is absurd to say that there would be any difficulty. If the conscience of this country were roused it would be looked upon as a fleabite, and it would be far easier for us to do this work now than it was to pay £20,000,000 for the abolition of the Slave Trade in 1830. England was then very poor, but she is very rich now. Her income is three or four times as large, and her taxation is very much lighter. There would be no difficulty whatever, out of the surpluses we have year after year in the Budget, to find the amount required to tide India over her difficulties in the few years for which it would be requisite. Of this I feel perfectly certain, that any sacrifice this country would make would ennoble her and raise her in the esteem of every nation on the earth. The advantages that would come back to us would repay us ten-fold for all the little sacrifice we would make. We would have an immense development of the trade with China, as an hon. Friend observes. Our trade with China has been starved, and that by this wretched policy. It has remained absolutely stationary for many years. I believe that Lancashire alone has paid in the loss of trade more than the whole amount that would be required to extinguish the opium traffic. However we look at this matter—whether we look at it from the point of view of political economy, from the point of view of Christianity, from the point of view of public ethics—I believe our bounden duty is to take measures for the early extinction of the trade. I believe the country will soon demand it. I do not think the Government know how strong the feeling is in the country, and they may yet discover that in a surprising manner. At the next General Election any candidate who comes before an audience and says we should make a little sacrifice to put an end to the iniquity will carry his audience with him. I do not believe a single constituency will return a Member who would avowedly support the present system, and no candidate will make a speech such as that made to-night by the hon. Member for Aberdeenshire without receiving manifest tokens of disapprobation. The only point I can compliment the hon. Member upon is his courage. A more extraordinary speech was never listened to in this House; and I venture to say that no man will at the next General Election face an audience with such a speech and be returned, holding such views. I hope the House will do itself honour to-night. It has a great chance. I hope we shall have a Division to-night that shall do honour to this House, and that shall raise this country in the estimation of foreign countries, and save us from that national judgment which will certainly come upon us some day if we persist in this national sin.

*(12.0.) Sir R. TEMPLE (Worcester, Evesham): At this late hour, before we divide, owing to my official experience of all parts of this great question, I may perhaps crave permission of the House to summarise, in a very few moments, the practical morality of this matter. Sir, with all respect to the hon. Baronet the Mover of this Resolution, and the striking, perhaps stirring, array of testimony which he produced against opium in China, the House will recollect that the hon. Baronet belongs to a very honourable party, the Temperance Party, and we know that precisely the same testimony, only stronger and larger, could be adduced by any temperance speaker regarding the use of alcoholic spirits in England. Now, Sir, the hon. Baronet says that the opium system of

India and China is morally indefensible. I say it is defensible. If it were morally indefensible I would not undertake to defend it. If it be morally justifiable, then, and then only, would I undertake its defence. I make no *ad misericordiam* appeal. If the thing be wrong, then I do not claim the money; I would let it go, be the consequences what they may, be the embarrassment to the Government of India, be the consequent taxation to the people of India, what they may. But, Sir, I undertake to show that upon moral grounds, upon arguments of practical morality, the system is just as defensible as the Excise system of England, or of any civilised country in Europe. May I ask the House for a moment to consider the case of China? Of the opium supplied to the people of China three-fourths are produced in that country. That is of inferior quality and is increasing, and is subject to only one kind of taxation, namely, the local one. That taxation goes to the Chinese Government. One-fourth of the opium comes from India. That is of a superior kind, is fast decreasing, is subject to double taxation —first, that by the Government of China, an import duty; and, secondly, the export duty levied by the Government of India. So that, on the whole, the Indian opium in China is to the Chinese grown opium what the champagne of France is to the rest of the wines of that country. It decreases, because the Chinese grown article increases in quantity and quality, driving the Indian article more and more out of the market. Then China is perfectly free. I will not go into those questions of ancient history, which have, to the undue occupation of the time of this House, been adduced by the hon. Member who has just sat down. But how is the case at this moment? There has been a Convention lasting for a few years only, according to which Indian opium was admitted to China upon the condition that the Chinese Government were to levy only a limited amount of taxation. The term of that Convention has expired, and the Chinese Government might put prohibitory duties upon, or might stop, the Indian opium importation altogether. Indian opium lies at their mercy. Therefore, China is entirely a free agent. Now, the House will see that if China is poisoned by opium, she poisons herself. But then, firstly, comes the question whether this opium is really a poison. The House has just heard the important medical testimony given by the hon. Member for Aberdeen. But there is still more important evidence, namely, that of my hon. Friend the Member for Hackney, perhaps the first living authority medically on this subject. I only hope that time will permit of his giving us his opinion during this Debate. To the best of my knowledge and judgment opium is not deleterious in reasonable moderation, and is, under all circumstances, far less deleterious than alcoholic drink. Either taken to excess is harmful, but the former less than the latter—that is, the narcotic drug less than the alcoholic spirit. It is not the case that opium leads to crime. Of course, excessive use of it will directly lead to various social mischiefs which may amount to crime; but leading to crime in the same sense as when spirits are taken to excess is not a direct consequence of the indulgence in opium. Spirits, indeed, lead to violence; but opium induces quiescence, and that is the reverse of leading to crime. The hon. Baronet spoke of opium being labelled in England as a poison. Why, certainly; that is the concentrated distillation, amounting to a tincture. That is poison. But that is a wholly different thing to the substance sold in the Eastern bazaars under the name of opium. That opium is perfectly harmless if taken in moderation, and it is taken by many classes in Western India without any mischief whatever, or without anybody being acquainted with the fact that it is taken at all. We have heard evidence to-night that it is taken by the most stalwart and enduring races of Western India. And in Eastern India the inhabitants of Assam and Orissa, being consumers of opium and not of spirits, as in other parts of India, are about the most quiet of all sections of the population. It is not really the fact that opium is a poison in the true sense of the word. Like spirits, it may be taken in excess, but, unlike spirits, when taken in excess, it does not conduce to dangerous conduct. Then, secondly, the question arises, are the Chinese the victims of the poison if it really existed? To what extent do the people of China consume opium? Only to the most limited. Why, Sir, it has been shown upon calculations by the very highest authority in China (in a Blue Book which I have in my hand), that not more than one man out of 150 obtains access to opium at all. Now, the hon. Baronet spoke of the thousands and myriads of people who are being poisoned. What becomes of that allegation in the face of these calculations. The people of China are not being drugged, nor are they intemperate. On the contrary, they are, as a nation, temperate. Are the people of China in a degraded state? Quite the contrary. Their numbers are increasing, their trade is expanding, their industry is thriving. So much are they over-populating the vast and magnificent area with which Providence has endowed them that they are obliged to emigrate to foreign places. They people Lower Burma, the Malay Peninsula, Java, Sumatra, and Borneo; and if it had not been for the action of our white countrymen they would have obtained a large share in the Australian Continent. If it were not for the Americans they would hold the Eastern Coast of the Pacific. These are not the sort of people who are being poisoned and demoralised. I charge the hon. Baronet and those who think with him with unintentional, nevertheless monstrous, exaggeration in respect to opium in China. Then I ask the House to consider what is really our position in India. What do we do with this opium produced in India? We put a very heavy tax, indeed, upon it—three or four times *ad valorem* the cost of production. I say that we have a right to do so, just as the Chancellor of the Exchequer has a right to tax whisky in Scotland and Ireland. If it be righteous to draw taxes from a gin-palace, it is equally righteous to do the same from an opium den. There is no wrong morally in taxing a spirit or in taxing a drug. Either is harmless when used in moderation, or may even be beneficial. Either it is dangerous only when used to excess, though the drug is less dangerous than the spirit. But the possibility of its being used to excess has never been treated as an argument against the morality of taxation either in England or in any civilised country of Europe. You say that we not only act as taxers of it, but that we trade in it. But with regard to the opium trade of Calcutta and Bombay, there are Jews, Armenians, Greeks, and merchants of other nationalities, men of wealth, energy, and enterprise, conducting this business who would be very much astonished to hear that their steamers, wharves, and various apparatus of trade are part of a Government concern. It is said, Why raise revenue from an unholy product? Does not the House perceive that the same thing might be said of spirits, from which we annually derive a vast revenue? Why, this argument as regards the taxation of opium runs on all fours from top to bottom *pari passu*, and is in every respect similar to the argument with regard to the taxation of alcoholic liquors in every civilised country of Europe. Upon this point I listened with great interest to the confession of Coleridge which the hon. Baronet read. Does he not see that if Coleridge had taken spirits instead of opium, and had suffered from *delirium tremens*, instead of the narcotic effects of opium, his confession would have been ten times graver than that which has been read? It was, indeed, a lucky thing he took to opium and not to spirits. The hon. Baronet, my hon. Friend behind me (Mr. M. Stewart), and the hon. Member for Flintshire (Mr. S. Smith), have attempted to set up for China and for India a standard which they cannot and dare not set up in England. I claim for India and China the same measure which is meted out in England, neither more nor less. I appeal to those hon. Members to take the beam out of our own national eye before looking to the mote in the eye of our fellow-creatures in India and China. Before I conclude, just a few words regarding our own system in India itself. The House, doubtless, remembers that this is twofold—that for Malwa, native States, that for Bengal our own territory. With regard to Malwa, we levy a heavy export duty, as the drug passes through our territory *en route* to China. But in Bengal there is a different system. No man can cultivate the poppy without a licence. He must take the produce to the Excise officers. It must be manufactured on the spot under their eye. It must be by them sent to Calcutta, and there made over to the trade for export only. No man can engage in the production of this drug without a licence. Everything has to be done on the spot, where it can be under the inspection of the Government officers. And why is this? It is because we wish to make sure that the traffic in this article does not spread amongst our own people, and to see that it goes to Calcutta, from which place it is exported to China. [*Ironical cheers.*] Yes, but the people have spirits, and that is thought quite sufficient for them without opium; and therefore it is that we make sure that the opium goes out of India. It is for these good purposes that this system of severe Excise, and of licensing cultivation and of manufacture under Government inspection, is adopted in Bengal. It may be liable to misunderstanding; but once the facts are realised, then the moral advantage of the system is patent. Nothing would be easier if you wished it than to adopt in Bengal the same system which prevails in Malwa and Western India, so that the drug might be manufactured privately, as spirits now are, and subjected to an Excise system, with a view to exportation from Calcutta for China. But then the people of Bengal would illicitly get hold of the drug, which they cannot do now. Thus certain evils which are now absent from our Indian population would spring up. We are anxious that the people there should not consume this drug, in addition to the spirits they already have; and it is because of this anxiety for the moral welfare of our Indian people that the system I have described to the House is carried out. A great deal of misapprehension exists in the minds of those who denounce this system, and misrepresentation has been put forth, although, no doubt, unintentionally. Therefore, it is necessary that this point should be cleared up. Let me ask the House to consider what would be the consequence of attempting to abolish altogether the traffic in this drug? We should stop the transit of the Malwa Native States opium through British territory for exportation to China. But the production inside those Native States, being profitable, would continue. The result would be that all along the whole course of our frontier there would be a vast increase in the illicit traffic in opium and in the consumption of that article by our people. That would be one of the first results of our carrying the Motion of the hon. Baronet to-night. Next, if you were to abolish the Bengal system and stop the poppy culture in our own territories, fresh legislation would be required. You cannot prohibit a profitable cultivation, lawfully carried on for generations, without a new law. But I do not think you would get the Legislature of India to agree to the passing of such a law, unless you are prepared to send out a request that the Members are to vote to order. Opium is a thing which can be grown in every man's back garden, and if, owing to prohibition, this cultivation cannot be conducted openly and honestly, would not the people cultivate illicitly? Then would not the prohibition lead to fresh evil, involving executive difficulties and the setting up of an inquisitorial system? Besides, when you have prohibited and stopped its cultivation in Bengal, and stopped its regular transit from Malwa through British territory, what will you have done? You will have destroyed £5,500,000 of British revenue, and by enabling the people of China to obtain opium untaxed, and therefore cheaper, you will have stimulated the consumption of the drug instead of checking it by taxation. In this way you will have created the very opposite effect to that which is intended. Such would be the result of the ill-advised proposal now before the House. I am thankful to the House for the kind attention with which it has listened to me to-night, and I will not attempt to detain it much longer; but I have offered a mere summary of what might have been said on this complex question; because every one of the propositions I have put before the House would require at least a quarter of an hour to properly vindicate it. I should, however, wish to add a few words with regard to what has been said about Burma. It is quite absurd to speak about opium as being prohibited practically in Burma before we took over the country. There may have been prohibitory edicts, but these were not attended to. Why, Sir, consumption of opium has existed in Burma for a long period. It went on in that country merrily, and it is only since the extent of this consumption has been brought to our notice after the annexation that the system had been brought under strict Excise supervision. Again, the Burmese are not being demoralised. Not 3 per cent. obtain either drugs or spirits. They are a temperate people. With regard to the Excise on spirits in India, I do not propose to enter into any statistical discussion with my hon. Friend behind me (Mr Mark Stewart). I may say, however, that in this respect India may be regarded as a model country. The consumption of alcohol among the Indian people is so small that it does not apply to more than 7 per cent. of the population in Southern India; while in other parts of that Empire it is much less. I think I am within the mark when I say that not more than 4 per cent. of the whole of that large population of 260,000,000 ever consume alcoholic or narcotic substances. As to opium, it is taxed 10 times *ad valorem*, and not one person in 500 or more ever touches it. This, I think, is a result of which we may well be proud; and, considering the magnificence of such administrative facts, I can bear with equanimity all the detailed criticism which, with the best possible intentions, has been poured upon India by my hon. Friend (Mr. M. Stewart). I would remind the House, in conclusion, that we are asked to sacrifice £5,500,000 of our revenue by adopting the Motion of the hon. Baronet, Revenue that is now being spent on frontier defence, on the saving of life from famine, on the development of physical resources, on countless things pertaining to the welfare of the people. And for what? Practically for no moral advantage, for the vindication of no moral principle whatever. We should be only putting that big sum into the pockets of the opium consumers of China, without any commensurate result, either moral or physical. Indeed, the real result would be that for them the drug generally would be cheapened by so much remission of taxation. If there were a gap caused by suppression of Indian opium China would fill it up. Being cheapened, the consumption would be stimulated. What moral good, then, would the hon. Baronet have attained? Absolutely none. The very reverse, indeed: he would be augmenting the very evils which he vainly hopes to cure. I trust the House will reject a Motion, prompted by lofty and philanthropic motives no doubt, but sustained by misrepresentation, sincere and unconscious, because it springs from a misapprehension of the facts.

(12.24.) Mr. McDONALD CAMERON (Wick, &c.): I cannot but thank the hon. Baronet behind me for the manner in which he has brought this Resolution before the House, although I very much regret that the data on which we have to consider this matter are not so complete as they might have been. I may say that I had put down an Amendment, which I submitted to you, Sir, for your consideration, but which you felt it necessary to rule was out of Order. That Amendment had for its object the appointment of a Royal Commission to inquire into the whole system of the opium traffic, in order that the House might have authentic data on which to found something like sound legislation. A good deal of sentiment—in fact, a great deal too much sentiment—has entered into some of the legislation passed by this House. We have had a recent example in the case of the Contagious Diseases Acts. We now know very well that they have not achieved the results anticipated from them by those who were parties to that legislation, and I am afraid that if this Motion be carried, the same result may possibly follow. I have recently come from the East, where I have entered into this question of the opium traffic; and, as far as I have been able to acquaint myself of the facts, I can substantiate all that has fallen from the hon. Member who has just spoken. There is one point that I should like to bring before the House. Whenever this House, out of mistaken notions of goodness or of conferring benefit on the people of India or of our Crown Colonies, has attempted to interfere without a thorough knowledge of the conditions under which the people live, it has generally made a mistake. Take the question of the labour laws in the Straits Settlements. The labour employed in the Straits Settlements has been almost entirely procured from China. It is the Chinese who perform almost the whole of the labour there is, and it is a fact that in the labour agreements which are made in that part of the world the labourers will not engage to do the work required of them, on the plantations or elsewhere, unless they are certain that they can procure opium; just in the same way as among our large centres of population men will not engage to do work unless they can get tobacco and other things that they require. If you were to abolish this traffic, I feel sure the result would be that at the best you would only bring about a modification of the evil. It is a mistake to think that you can change the character of an eel simply by passing an Act of Parliament. There is too much of this sort of feeling entering into all the desire to pass this kind of legislation. There is a Commission at this moment sitting in the Straits Settlements on the labour question. They do not know how to meet the difficulty there. It has been said by the hon. Baronet who has brought forward this Motion that the Dutch are endeavouring to get rid of this traffic in Java. I do not know where the hon. Baronet has obtained his information, but I do not think it is entirely accurate. There may be a few officials or other persons in Java who have the same views on this subject as the hon. Baronet, and who, therefore, desire to abolish this traffic. Many people in this country, no doubt, wish to see a check put upon the opium traffic; but let me point out that the tobacco plantations at Java and Sumatra are entirely worked by Chinese, who would not labour there unless they were sure of a supply of opium. Is it likely, then, the Dutch Government will put a stop to this profitable industry simply to give effect to philanthropic views? I confess I do not like the opium traffic myself. I think that something should be done to regulate it. In deference to public opinion in this country an effort should be made to bring it more under control. But I do object to legislation being undertaken without a sufficient knowledge of the subject. If a Royal Commission investigated it, then hon. Members would have before them details which would enable them to arrive at a just and right conclusion; they would have before them data of a practical character. I shall vote for this Motion, not because I expect it will be carried, but because I am unable to bring forward that of which I have given notice. I should very much prefer that the Government could see their way to adopt my proposal, and have a Royal Commission to inquire into the traffic, which, it must be remembered, is a legal traffic. At any rate, some effort should be made to meet in this matter the wishes of a large section of the people of this country.

*(12.33.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I have listened with very great interest to the Debate which has been going on for the last 3½ hours, and with great interest also to the speech of the hon. Gentleman who has just sat down. I was a little surprised at the conclusion at which he arrived. He spoke with considerable force against the Motion of the hon. Baronet opposite, but wound up with an intimation of his intention to vote for the Motion on the ground that he could not move an Amendment of his own for the appointment of a Royal Commission. Now, I can assure the hon. Member that there is every disposition on the part of the Government to take means to satisfy the people of the country and public opinion on this question by making any inquiry which it is possible to institute. If the hon.

Gentleman desires that every information shall be obtained the Government are perfectly ready to communicate with the Government of India with a view to an inquiry being conducted in the manner suggested by the hon. Member, or in any other form by which information can be satisfactorily obtained for the people of this country. This is a very grave question indeed. The hon. Baronet opposite introduced it in a speech of great moderation, but I cannot help recalling to the recollection of the House some of the statements which he made upon this question. He said, "Let us be moral and right without any regard to pecuniary considerations." That is a sentiment which does the hon. Baronet great credit, and it is one in which we are all prepared to join with limitations. I would venture to suggest, Sir, that we should have no regard whatever for pecuniary considerations in matters where we ourselves alone are concerned should those considerations interfere with a discharge of a moral duty; but, at the same time, I hold it to be both moral and right that we should have regard to pecuniary considerations when we arrive at a resolution which affects other persons. I occasionally take refuge when I have to consider questions of administration in that storehouse of moral axioms which is constituted by *Hansard;* and occasionally I find it possible to borrow axioms from the lips of the right hon. Gentleman the Member for Mid Lothian. Now, that right hon. Gentleman, speaking on this question only a few years ago, said—

> "There is a kind of morality which, in my opinion, is the lowest of all, and it is the morality of a Government which makes promises without knowing that it has the means of fulfilling them."

Now, the hon. Baronet asks this House and this Government practically to make a promise without knowing that it has the means of fulfilling it. The right hon. Gentleman suggested that if the House desired to effect a reform it should be prepared at once to assure the Government of India that it would provide it with that revenue of which it would be deprived if this traffic were suppressed. The hon. Baronet, dealing with the same point, said there could be no doubt that the money would be forthcoming, and that the revenue would be found by this country, or, at any rate, there might be a postponement of the charge for expenditure actually incurred, and its payment extended over a period of years. It appears to me that a recommendation to postpone the payment of debt by the Government of India is not a kind of morality which we ought to enforce upon that Government. Is the hon. Baronet prepared to move an Address to the Crown setting forth that the Imperial Government is prepared to make good to the Government of India such a deficit as may arise from the suppression of the opium traffic? I know that my hon. Friend the Member for the City of London does propose to give effect to that principle, and desires that the House should agree to a financial Resolution of that kind; but I would suggest to the hon. Baronet that such an Address to the Crown ought to be a Resolution preliminary to one condemning the traffic in opium.

*Sir J. PEASE: When I concluded my speech I stated that if the langaage was carefully guarded that I was prepared to assure the people of India of an annual grant from the Imperial Parliament for the purpose of meeting any deficit which might be occasioned by the suppression of the traffic.

*Mr. W. H. SMITH: Then I would suggest to the hon. Baronet that he should make that Resolution antecedent to the one condemning the traffic in opium.

*Sir J. PEASE: I am quite prepared to add it to my Resolution.

*Mr. W. H. SMITH: There is a good deal to be said in favour of such a Resolution; and if the hon. Baronet desires to withdraw the Resolution now before the House, and add a clause to that effect, then we shall be in a position to consider the whole question. What I wish to point out to the hon. Baronet, who I believe is thoroughly in earnest in what he is advocating, is that we are asked to agree to an abstract Resolution without any indication on his part; that if that abstract Resolution is carried, and if the consequences thereof is a loss to the Revenues of India, a grant will be made from the Exchequer of Great Britain to make up that deficit. No doubt the hon. Baronet would be prepared to advocate such a grant, but I think the House will agree with me that that would hardly be a satisfactory mode of discharging our duty to the inhabitants of India. We should deprive them of certain revenues, and at the same time there would be by no means a certainty that this House or the country would be prepared to make good the revenues thus taken from them. The course which this Government has taken, and which all Governments have taken, during the last few years — for the present Government take no credit for greater care and consideration for the morality of the people of India than has been shown by preceding Governments—has been to diminish the area of cultivation in India to an extent, in the last five years, at any rate of 20 per cent. The production and sale of opium has been decreased considerably in each year, and that must be taken as an indication of the policy of the Government. But we are not prepared, and we are not able, to accept a Resolution which would terminate the production of opium in India, and at once deprive the Revenue of India of a large sum. If we were to attempt to do that illicit sale and production would be the result, and the consequence would be far more serious than those arising under the present system. Our policy has greatly diminished the cultivation and consumption of the drug, and that policy which has been carried on with marked success during the last five years would be persevered in, but we cannot accept the Resolution couched in the language of the hon. Baronet unless this House is prepared to precede it by a positive engagement on the part of this country to make good to the Revenues of India the enormous sum of which it would suddenly be deprived by a desire—a very proper and humane desire—on the part of the people of this country to protect the people of India from the consequences of this traffic. I think the House will agree that the course which I am suggesting is a very proper one, and would meet all practical purposes. I say again that this House must, in the first instance, pledge itself to make good to the Revenues of India any loss of which it might be deprived by the suppression of the opium trade, and until that is done the Government cannot assent to the course suggested by the hon. Baronet.

(12.40.) The House divided:—Ayes 130; Noes 160.—(Div. List, No. 127.)

Words added.

Main Question, as amended, proposed.

(12.56.) Amendment proposed,

To add, at the end of the Question, the words "And this House, feeling the pressure of taxation on the people of India, will take steps to reimburse the deficiency so caused to the Indian Government."—(*Sir Robert Fowler.*)

Question proposed, "That those words be there added."

(12.59.) Mr. T. M. HEALY (Longford, N.): I should like to hear the views of the Government. It is surprising to me that a gentleman of the great experience of the hon. Baronet the Member for the City of London should have delivered himself in such a brief space on so important a question. I have known him to make long speeches on matters of far less importance. I can hardly think he limited his speech solely by reference to the state of the clock. Now, Sir, it seems to me very unfortunate indeed if by reason of the limited period——

It being One of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at One o'clock
till Monday next.

by Contract with H.M.'s Government. An Asterisk at the commencement of a Speech indicates revision by the Member.

HOUSE OF COMMONS,

Monday, 13th April, 1891.

QUESTIONS.

THE IRISH MAILS.

Captain M'CALMONT (Antrim, E.): I beg to ask the Postmaster General whether he can state the number of letters, exclusive of the American and Canadian mails, received in Ireland from England and Scotland during any one month, say March, 1891; and of such letters, how many were addressed to persons in Belfast and the district served by that city, and in the rest of Ireland?

*The POSTMASTER GENERAL (Mr. Raikes, Cambridge University): According to the latest information possessed by my Department, the letters, exclusive of those for the United States and Canada, received in Ireland from England and Scotland numbered in one week 703,810. Of these 150,811 were addressed to persons in Belfast and the district served from that city, and 552,999 were for the rest of Ireland.

ST. PAUL'S SCHOOL.

Mr. LAWSON (St. Pancras, W.): I beg to ask the hon. Member for Penrith (Mr. J. W. Lowther) whether he is aware that the Governing Body of St. Paul's School have decided to pay £15,250 (or at the rate of £3,300 per acre) for land in West Kensington, Fulham, on the advice of Mr. Daniel Watney, Surveyor to the Mercers' Company, and on the independent corroborative opinion of Messrs. C. & W. Oakley, 10, Waterloo Place; and whether he will state who are the vendors of this land, for which Messrs. Fox & Bousfield are employed to arrange the purchase?

Mr. J. W. LOWTHER (Cumberland, Penrith): The Governors of St. Paul's School, acting, it is understood, on the advice of Mr. Daniel Watney, the Surveyor to the Mercers' Company, have applied to the Charity Commissioners for their sanction to a purchase of land in West Kensington on the terms mentioned; but no opinion has been obtained by the Governors from Messrs. C. & W. Oakley, who have, however, received instructions from the Governors to report directly to the Charity Commissioners upon the value of the land. The Commissioners have not yet received that Report. The vendors are Mr. John Leonard Tomlin, of No. 8, Old Burlington Street, solicitor, and Mr. Arthur John Campbell Gwatkin, of Dover Street, Piccadilly. The latter sells as mortgagee.

ARMY PENSIONS.

Mr. OCTAVIUS V. MORGAN (Battersea): I beg to ask the Secretary of State for War whether it is a fact that all who joined the Army under 18 years of age, and have been discharged to pension, as non-commissioned officers, under the Royal Warrant of July, 1881, and subsequent Royal Warrants, have lost pension by continuing to serve beyond 21 years; whether such loss is in accordance with those Royal Warrants; and if, on inquiry, he should find that they have so lost pension, and that such loss is not in accordance with the Royal Warrants, will he cause full and immediate redress to be made them?

*The SECRETARY of STATE for WAR (Mr. E. Stanhope, Lincolnshire, Horncastle): It is not the fact that any soldier has lost pension as a consequence of serving more than 21 years; nor would such loss be in accordance with Royal Warrant. If the hon. Member can state any case in which a non-commissioned officer has so lost or is supposed to have so lost pension, I will take steps to have it inquired into.

THE COMMON WOOD AT HOLT, DENBIGH.

Mr. G. OSBORNE MORGAN (Denbighshire, E.): I beg to ask the hon. Member for Penrith what is the cause of the delay in the completion by the Charity Commissioners of the proposed scheme for the management of the Common Wood at Holt, in the County of Denbigh; and when such scheme will be finally settled?

Mr. J. W. LOWTHER: The scheme for the management of the corporate property (including the Common Wood) of the dissolved Corporation of Holt, in the County of Denbigh, was sealed on April 3. The reason for the delay in the establishment of the scheme has arisen from the fact that at a late stage of the proceedings a question was raised by the Office of Woods bearing upon certain rights of the Crown, affecting the corporate property to be included in the scheme.

DELIVERY OF TELEGRAMS.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the Postmaster General whether he is aware that considerable dissatisfaction exists among persons living in country places, at a distance from any telegraph office, at the present high charges for the delivery of telegrams; whether he is aware that, having regard to the rates of wages and of horse hire in country districts, telegrams could, without loss to the Post Office, be delivered on foot at 3d. per mile, and by mounted messenger at 8d. per mile; and whether the subject has been, or will be, considered with a view of making some reduction in the existing charges at an early date?

*MR. RAIKES: The general question of the charges for the delivery of telegrams has been more than once considered, but I am quite prepared to have further inquiry made in view of the circumstances now existing, and I shall be glad to let the hon. Member know the result in due course. He will readily understand that the inquiry will occupy some time. I should, however, say that I have considerable doubts as to the practicability of establishing a general rural delivery of telegrams at the rates suggested in the question.

THE LOSS OF THE *ROXBURGH CASTLE*.

MR. LENG (Dundee): I beg to ask the President of the Board of Trade whether his attention has been called to a statement made before the Collector of Customs at Newport by James Whitelaw, able seaman, Dundee, one of the two survivors of the crew of 24 of the steamer *Roxburgh Castle,* which was recently sunk in a collision, to the effect that the crew made for the lifeboat,

Mr. J. W. Lowther

> "But could not move her from the chocks, and as a last extremity got into her and waited for her to float,"

with the result that the boat capsized and all but two were drowned; whether the boats on board the *Roxburgh Castle* were secured in the manner prescribed by the Board of Trade Regulations, under "The Merchant Shipping Life Saving Appliances Act, 1888," that

> "All boats required by the rules to be placed under davits are to be kept fit and ready for use, and when they are swung inboard and resting on chocks, the chocks are to be so constructed that the boat can be at once swung outboard without requiring to be lifted by the tackles, *i.e.* it should not be necessary to do more than take the weight off the boat";

whether he will explain what is meant by the boat's weight being taken without hauling on the tackles; and whether it is the case that, owing to the ambiguity of this Regulation, the Board of Trade officers can do nothing to secure improvement in the method of lowering boats?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): My attention has been called to the statement referred to, which is to the effect stated in the question, but it is also clear from Whitelaw's deposition that the difficulty in getting the boat into the water did not arise from any deficiency in the means provided for that purpose, but from the boat being fouled by the wreckage caused by the collision. The Board of Trade have received no Report as to the manner in which the boats on board the *Roxburgh Castle* were secured; but I have no reason to doubt that it was in accordance with the Regulations. The statements in the question do not quite accurately represent the Regulations. There is no ambiguity in the Rule specially referred to, and the Board of Trade officers have no difficulty in securing improvements in the method of lowering boats, if in any case they think them necessary. An official inquiry has been ordered into the loss of the *Roxburgh Castle.*

PUBLIC ANALYSTS.

DR. CAMERON (Glasgow, College): I beg to ask the President of the Local Government Board why, in the cases of Dr. Adams, who was nominated Public Analyst for Bolton, and Mr. Charles Henry

Southwell, pharmaceutical chemist, of Boston, nominated by the County Council as Public Analyst for the Holland Division of Lincolnshire, he at first refused to confirm the nominations, and afterwards confirmed them both?

*The PRESIDENT of the LOCAL GOVERNMENT BOARD (Mr. Ritchie, Tower Hamlets, St. George's): When the appointments of Dr. Adams and Mr. Southwell were reported to the Local Government Board by the Councils by whom they were appointed, the Board did not decline to confirm the appointments, but they considered that the information that had been furnished as to the qualification of those gentlemen was insufficient. When further information had been supplied the appointments were confirmed by the Board.

COLLIERY ACCIDENT AT APEDALE.

Mr. COGHILL (Newcastle-under-Lyme): I beg to ask the Secretary of State for the Home Department whether he has received any Report of the colliery accident on the 3rd April at Apedale, near Newcastle-under-Lyme, when ten lives were lost; whether the use of gunpowder was the cause of the explosion that occurred; and whether he will take steps to so amend the Coal Mines Regulation Act of 1887 as to prohibit absolutely the use of gunpowder in any coal mines, and to make the words of Sub-section (g) (2) of Rule 12, Section 49, the universal rule—

> "Unless the explosive employed in firing the shot is so used with water or other contrivance as to prevent it from inflaming gas, or is of such a nature that it cannot inflame gas"?

The SECRETARY of STATE for the HOME DEPARTMENT (Mr. Matthews, Birmingham, E.): I have received a Report from the Inspector of the district, who informs me that there is every reason to believe that the cause of the explosion at Apedale, near Newcastle-under-Lyme, was a blown-out shot of gelatine dynamite, and not of gunpowder. The circumstances of this explosion will be investigated, not only before the Coroner, but also by the Royal Commissioners on Explosions from Coal Dust in Mines, and I am informed that Professor Dixon has already visited the scene of the explosion.

EVIDENCE OF TEETOTALERS.

Mr. M'LAGAN (Linlithgow): I beg to ask the Lord Advocate whether his attention has been called to what occurred in a Small Debt Court, at Airdrie, on Friday, the 27th of March, when Sheriff Mair, the presiding Judge, is reported to have said, on a witness declaring himself to be a teetotaler, that he did not believe his evidence, because a teetotal witness always took an extreme view in cases where people who took drink were concerned; whether he has seen the letter of Sheriff Mair in defence of himself, in which he said—

> "What I did say was that their evidence was not so reliable in a question as to drunkenness as that of persons not teetotalers, who did not have such extreme and even perverted views as to whether a man was drunk or sober";

and whether he is the same Sheriff Mair who, in the same Court in 1888, said to teetotal witnesses, giving evidence as to whether a man was drunk or not, "Go away, I do not believe you;" and, if so, how he proposes to deal with the matter?

*The LORD ADVOCATE (Mr. J. P. B. Robertson, Bute): If the learned Sheriff had expressed a disbelief in the veracity of total abstainers as a class it is obvious that this would have been a wholly unwarrantable reflection on a most respectable and increasing section of the community. I am happy to find, however, that no such reflection was intended on either of the occasions referred to. In each case the question was whether a certain individual was or was not drunk; and in the Sheriff's view the abstaining witnesses being presumably less conversant with and more critical of the habits of non-abstainers, he rejected their evidence in favour of the evidence of other credible witnesses with whom they were in conflict. It is quite probable that in the cases in question this was a correct appreciation of the conflicting testimonies; and it is plain that the feeling which seems to have been caused by the learned Sheriff's observations would not have arisen if his view had been expressed in less absolute and pungent terms. I am happy to learn that the Sheriff has always held that in general there are no better witnesses than teetotalers; and I cannot doubt that he will see the expediency of letting this be manifest in any future judicial criticisms he may find it necessary to make on similar occasions.

MR. CALDWELL (Glasgow, St. Rollox): May I ask whether the Sheriffs of Scotland are capable of being judged in this House in regard to their conduct on the Bench except by an address to the Crown?

*MR. J. P. B. ROBERTSON: I do not understand the question to have been asked with the view of obtaining a judicial decision, but simply to call attention to statements which have become public in the ordinary way.

THE TRANSATLANTIC CATTLE TRADE.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the President of the Board of Agriculture whether he will lay upon the Table, as a Parliamentary Paper, the Report of and evidence given before the Commission appointed by the Canadian Government respecting the shipment of cattle; and when he expects the Departmental Committee now investigating the Transatlantic Cattle Trade to conclude its labours and Report?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): The Departmental Committee upon the Transatlantic Cattle Trade are now considering their Report, and I hope that their labours will be completed and that their Report will be presented very shortly. It is proposed to print with the Appendix the Report of the Canadian inquiry into the Export Cattle Trade of the Dominion. The evidence is somewhat voluminous, and I doubt if it will be necessary or desirable to print it in addition to that given before the Departmental Committee, but I will consider that point.

CUSTOMS CLERKS.

MR. DONAL SULLIVAN (Westmeath, S.): I beg to ask the Secretary to the Treasury whether the representations of the so-called redundant clerks in the Customs that they have suffered undue loss through the narrowing of the chances of promotion in recent years, and through the non-fulfilment of one of the stipulations in Treasury Letters dated 20th March and 12th May, 1880, have been favourably considered; and, if so, whether he can state why the scheme for amelioration has not yet been promulgated?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The decision of the Treasury will very probably be communicated shortly.

THE NEW FRENCH TARIFF.

SIR EDWARD BIRKBECK (Norfolk, E.): I beg to ask the Under Secretary of State for Foreign Affairs whether it is proposed in the new French Tariff to impose a duty upon fish of 10 francs per 100 kilogrammes instead of five as heretofore; whether, in view of the facts that the French covenanted in the Fisheries Convention of 1867 to admit British fish free of duty, and that Parliament, in pursuance of our reciprocal obligation, legislated in 1868 and admitted French caught fish free, the imposition of such duties in France is a violation of the Convention; and whether Her Majesty's Government have endeavoured to procure the fulfilment of the Convention by the French Government?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): It is proposed to increase the duty upon foreign fish imported into France. Article 31 of the Fisheries Convention of 1867 between Great Britain and France provides that—

> "Fishing boats of either of the two countries shall be admitted to sell their fish in such ports of either country as may be designated for the purpose, on condition that they conform to the regulations mutually agreed upon."

Full effect was given to the Convention by Great Britain by the Fisheries Act of 1868, and French fishermen sell their fish in British ports free of duty, but in France the Convention has never been put into force. The imposition of duties upon fish forwarded from England as goods is not a violation of the Treaty, but the chief subject of complaint is the failure to admit our fishermen to sell fish on any terms whatever in the ports of France, and generally the failure to give effect to the Treaty. Her Majesty's Government have repeatedly endeavoured to procure the fulfilment of the Convention in this and other particulars, but without success.

PARCEL POST TO SPAIN AND THE CANARY ISLANDS.

Sir J. SWINBURNE (Staffordshire, Lichfield): I beg to ask the Postmaster General whether he will endeavour to make arrangements with the Government of Spain for the institution of a Parcel Post between this country and the principal ports of the Canary Islands?

*Mr. RAIKES: Correspondence has already taken place with the Spanish Government relative to the institution of a Parcel Post with the Canary Islands, but without success. The subject will not be lost sight of so far as my Department is concerned.

CROWN LANDS IN SURREY AND MIDDLESEX.

Sir J. SWINBURNE: I beg to ask the First Commissioner of Works whether he will grant the House a Return of all the Crown Lands in the Counties of Surrey and Middlesex from which the public is excluded, giving in each case the acreage of these lands, and their distance from Charing Cross?

The FIRST COMMISSIONER of WORKS (Mr. Plunket, Dublin University): So far as any lands in the charge of the Office of Works are concerned the hon. Baronet will find all the information I can give him on the subject of his question included in Return No. 54, made to this House in the year 1888, under the heading "Royal Parks and Pleasure Gardens." The distance from Charing Cross of the various lands is not specified in the Return, but the hon. Baronet will no doubt be able to make an approximate estimate on the point himself.

EXPLOSIONS IN SCOTCH IRONWORKS.

Dr. CAMERON: I beg to ask the Lord Advocate whether any decision has yet been come to as to the institution of a special public inquiry into all or any of those fatal explosions in ironworks in the Glasgow district to which his attention was called by questions before Easter?

*Mr. J. P. B. ROBERTSON: The information in the possession of the Secretary for Scotland tends to show that there was no connection between the three explosions referred to, except that they all occurred at ironworks in Scotland. The propriety of ordering a public inquiry is, therefore, a question for separate consideration in each case. (1) At Blochairn the explosion was a purely mechanical one, caused by heating a closed tube containing water. Steps have been taken to prevent such an occurrence in the future, and the Secretary for Scotland sees no advantage to be gained by further inquiry. (2) At Messrs. Dixons' Works, the explosion occurred in a section of the works which is registered under the Alkali Act. A Report has been received from the Chief Inspector of Alkali Works to the effect that the explosion took place in the pipes or vessels used for separating ammonia from furnace gases, but was the result of accidental ignition, and not of any chemical process connected with such separation of the ammonia. It is not satisfactorily explained how the ignition was caused, but the point is not one, in the opinion of the Secretary for Scotland, which a public inquiry would be likely to further elucidate. (3) The explosion at Gartsherrie Ironworks has, in common with the other two explosions, been the subject of inquiry through the Procurator Fiscal, but the decision of Crown counsel has not yet been announced, and the Secretary for Scotland will await that decision before pronouncing upon the expediency of holding a public inquiry.

Dr. CAMERON: I beg to give notice that I will call attention to the subject upon the Votes.

SPECIAL ENLISTMENT.

Major RASCH (Essex, S.E.): I beg to ask the Secretary of State for War whether it is a fact, as stated in the *Times* of 6th April, that a boy had enlisted and is serving in the Grenadier Guards at the age of 14½, and whether this case is an example of the "special enlistment" sanctioned by the War Office?

*Mr. E. STANHOPE: There is no trace of any enlistment in the Grenadier Guards at the age of 14½ years, except in the cases of boys avowedly enlisted as such.

CLERICAL ESTABLISHMENT OF PRISONS.

Mr. LAWSON: I beg to ask the Secretary of State for the Home Department whether any storekeeper or clerk serving in Her Majesty's prisons was called upon by him, or the Committee of Inquiry appointed by him, to give evidence or to be examined upon the question of the pay and *status* of the clerical establishment in connection with those prisons?

MR. MATTHEWS: I referred the question of the pay and *status* of the prison clerks to a Committee of Accounts, which had originally fixed the establishment, pay, and duties of these officials, and not to the Committee of Inquiry appointed with reference to prison warders. The Committee of Accounts, consisting of a Director of Prisons, an Inspector of Prisons, and a Treasury officer, who had himself been in the Prison Service, had such familiarity with the subject that they did not think it necessary to call any clerk or storekeeper as witnesses.

POST OFFICES IN LICENSED HOUSES IN SCOTLAND.

MR. J. WILSON (Lanark, Govan): I beg to ask the Postmaster General when the Return asked for, of the number of Post Offices in Scotland that are in licensed premises, will be laid upon the Table of the House?

*MR. RAIKES: The Return to which the hon. Member refers has been forwarded to the Secretary for Scotland to-day, and will no doubt be laid upon the Table without delay.

POLLOKSHIELDS POST OFFICE.

MR. J. WILSON (Lanark, Govan): I beg to ask the Postmaster General whether he is aware that the postmaster at Pollokshields has resigned his appointment; and whether, considering the hostile public feeling to the late appointment being in licensed premises, he will avoid this in filling up the vacancy?

*MR. RAIKES: I am aware that the Receiver at Pollokshields has resigned his appointment. As I informed the hon. Member in reply to his question on the 29th January last, I have made it a practice for some years past not to appoint licensed grocers in Scotland to such situations, except in cases where the exigencies of the Service render a departure from that practice necessary; and I shall be glad if I find myself able to meet the wishes of the locality in the present instance. The selection of a person to fill this office will, as the hon. Member is probably aware, be made by the Lords of the Treasury.

VOLUNTEER TRAVELLING EXPENSES.

MR. SINCLAIR (Falkirk, &c.): I beg to ask the Secretary of State for War whether complaints have reached him that the allowance now granted in aid of the expenses of travelling for attendance at inspection and battalion drills of Volunteer Regiments whose companies are widely apart is quite inadequate to defray the actual cost of travelling to united drills for the purpose of efficiency before inspection; and whether, under the circumstances, he is prepared to recommend the payment of a larger allowance to Volunteer Regiments so situated; and as it is understood that country regiments are encouraged and expected to join brigade camps, and by doing so are debarred from receiving allowances for travelling to inspection and battalion drills, will he consider the case of those regiments which are willing to join experimentally a brigade camp, but before it takes place will have incurred the expenses for the year of travelling inspection and battalion drills?

*MR. E. STANHOPE: A change in the system of travelling allowance to Volunteers for attendance at united drills has been made, which is to the advantage of corps widely distributed, though those whose companies are only just outside the five mile radius may possibly receive less. It is not contemplated that country regiments which receive camp allowance for attending brigade camps should also earn the allowance for attending united drills, as all the instruction obtainable at the latter would be included in that given at the brigade camp. Provision is, however, made in certain cases for men who are unable to accompany their corps into brigade camp.

SHEERNESS DOCKYARD.

MR. HERBERT KNATCHBULL-HUGESSEN (Kent, Faversham): I had intended to ask the First Lord of the Admiralty whether there are men at Sheerness Dockyard on the books as smiths, who are really doing fitters' work, and, if so, whether they should be classed as fitters; and whether arrangements can be entered into for the forgings of engines which are fitted at Sheerness being made in that Dockyard, instead of, as at present, in private yards? At the request of the noble Lord, I beg to postpone the question until Thursday.

RAIDS BY LEWIS COTTARS.

Dr. CAMERON: I have put a question on the Paper—to ask the Lord Advocate whether his attention has been called to the fact that at the trial of 12 Lewis cottars, under the Trespass Act, for raids upon Orinsay and Stimrenay, the prosecuting Procurator Fiscal was Mr. John Ross, the private agent of Lady Matheson, proprietrix, and Mr. J. Martin, tenant, of the localities in respect of which the trespass was charged; and whether, considering the repeated declarations of Scottish Law Officers in this House as to the undesirability of Public Prosecutors, where it can be avoided, being allowed to engage in private practice, he will direct regular Procurator Fiscal Mr. William Ross to act personally in any other cases arising out of the recent raids? At the request of the right hon. Gentleman, I beg to postpone the question until to-morrow.

WRECK OF THE *ARISTIDES.*

Mr. BUCHANAN (Edinburgh, W.): I beg to ask the President of the Board of Trade whether his attention has been directed to the wreck of the ship *Aristides* at Rattray Head on the night of the 5th April, in which seven out of eight men on board were drowned; whether this calamity was in great measure caused by the want of a light on Rattray Head; and whether he will now take steps to have a lighthouse erected there at the earliest moment?

*Sir M. HICKS BEACH: The information at present in the possession of the Board of Trade on the subject of the wreck of the *Aristides* on the morning of the 6th instant, so far as it goes, appears to show that this wreck was not caused by the want of a light on Rattray Head. The Board of Trade have asked the Commissioners of Northern Lighthouses to supply detailed estimates and plans of the lighthouse, the establishment of which, as I stated on the 23rd of last month in reply to a question of the hon. Member, has been sanctioned. In the event of these estimates being satisfactory, the work will probably be commenced by the Northern Lighthouse Board during the present financial year.

CROFTER EMIGRATION.

Mr. WATT (Glasgow, Camlachie): I beg to ask the Lord Advocate whether the sum voted by Parliament for crofter emigration has been exceeded; and whether he is aware if it is a fact that the company with which the Government arranged their scheme have recently sent out instructions to proceed against certain crofter settlers sent out previously to recover arrears of interest and loans?

*Mr. J. P. B. ROBERTSON: No, Sir; the sum voted by Parliament for crofter emigration has not been exceeded. The Secretary for Scotland informs me that the proceedings referred to in the second part of the question were not taken against any of the crofters sent out under the Government scheme; he understands that proceedings have been taken against some other settlers emigrated through the agency of the Canadian North-West Land Company; but of this, of course, he has no official information.

THE METROPOLITAN POLICE.

Mr. CAUSTON (Southwark, W.): I beg to ask the Secretary of State for the Home Department what arrangements are made to provide the Metropolitan Police with refreshments when on night duty; and whether it could be arranged to send round from the divisional head-quarters supplies of hot tea, coffee, or cocoa?

Mr. MATTHEWS: I am informed by the Commissioner of Police that the practice is that night-duty men have a tin bottle containing tea or coffee, and heated with a small lamp which forms part of the apparatus. This arrangement was recommended by a Board of Superintendents in 1887 as the best practicable under all the circumstances. It would not be practicable to supply refreshments from head-quarters. The hon. Member may feel certain that the comforts and welfare of the men are carefully attended to by their superior officers.

INFLAMMABLE LIQUIDS BILL.

MR. MUNDELLA (Sheffield, Brightside): I beg to ask the Secretary of State for the Home Department whether it is the intention of the Government to proceed with the Inflammable Liquids Bill during the present Session?

MR. MATTHEWS: I informed the hon. Member for East Northamptonshire on March 24th that the Government did not intend to proceed with this Bill this Session, but that I proposed to refer the subject to a Select Committee, whose Report would precede legislation.

THE YEOMANRY CAVALRY.

MR. LAWSON: I beg to ask the Secretary of State for War whether he can make any such statement as he promised last year as to the position of the Yeomanry Cavalry in case of mobilization?

*MR. E. STANHOPE: No, Sir; I am sorry to say that I can make no such statement at present. The position of the Yeomanry in such a case is so closely connected with that of the Regular Cavalry that it has not yet been found possible to lay down a definite scheme.

THE SCOTCH ROADS AND BRIDGES ACT.

MR. ROBERT REID (Dumfries, &c.): I beg to ask the Lord Advocate whether any power is given to the burgh Local Authorities in the Roads and Bridges Act to borrow money for the making and reforming of footpaths within burghs; and whether the Commissioners of Police have power under the Rutherford Act, 13 & 14 Vic., c. 33, to borrow money for those purposes and to assess for the same?

*MR. J. P. B. ROBERTSON: The first part of the question must, I think, be answered in the negative. On the other hand, comparing the 210th and the 340th sections of the Act, 13 & 14 Vic., c. 33, the power in question seems to exist under that Statute.

THE CYPRUS MAILS.

MR. THORBURN (Peebles and Selkirk): I beg to ask the Postmaster General whether he is aware that the mail which left London on 13th February last was not delivered in Cyprus until 18th March; whether it was sent from Beyrout to Smyrna, and from Smyrna to Cyprus; whether the same route has been pursued with the mail which left London on 27th February; and whether, looking to the great inconvenience such delay occasions to residents in Cyprus, it is possible to make arrangements for a weekly mail from Egypt to Cyprus?

*MR. RAIKES: Complaints have already reached me on this subject, and from inquiries made it would seem that the miscarriage of this mail was due to some mistake connected with the French service, to which it was transferred at Alexandria. I have always considered it extremely desirable to establish a British mail service to Cyprus; but the prospective expense has hitherto deterred Her Majesty's Government from adopting this course.

ANGLO-AUSTRIAN PRINTING AND PUBLISHING UNION.

MR. PITT-LEWIS (Devon, Barnstaple): I beg to ask the Attorney General whether the attention of the Public Prosecutor has been directed to the Report of the Committee of Shareholders, appointed on the 2nd March, 1891, to investigate the affairs of the Anglo-Austrian Printing and Publishing Union (Limited), from which it appears that this company asked the public for a capital of £750,000, but that, only about £99,280 having been applied for, the Directors nevertheless proceeded to allotment on this latter amount; that, although only £99,280 had been applied for, a cheque for £75,000 was immediately afterwards paid to one Mr. Horatio Bottomley for businesses agreed by him to be conveyed to the company, before he had disclosed any title to the same, and that he never, in fact, became entitled to convey to the company at all many of these; that the company never actually carried on any business at all, but yet paid to the same Mr. Bottomley further sums amounting to about £13,500 for (as he alleged) "working expenses;" that £1,116 was paid to the Directors as fees; that a dividend of 15 per cent. on the ordinary shares, and 8 per cent. on the preference shares, was declared at a Board meeting held on the 25th September, 1890; whether, from the Public Prosecutor having made any inquiry into the accuracy of the above statements, or for any other reason, he can say if they are correct; and, if so, whether, having regard to the fact that the company, having never transacted any business, could not possibly have earned a dividend, but must have paid such dividends as it declared out of capital, it is proposed to take any, and, if so, what, proceedings against anyone connected with the promotion of the company; whether he is aware that a very similar state of affairs exists in the case of the Hansard Publishing Union (Limited), and whether any, and what, steps are contemplated against the promoters or Directors of that Union; and whether a voluntary or other liquidator has been appointed to wind up either of the companies referred to above; what is the name of such liquidator; and is he an independent person?

*MR. COBB: Before the hon. and learned Gentleman answers the question, may I ask him whether the attention of the Public Prosecutor has been called to the connection of the late Lord Mayor and his brother with this company; and, further, if his attention has been called to the recent proceedings in the matter of the Direct Meat Supply Company before Mr. Justice Stirling?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I know nothing of the late Lord Mayor; but if the hon. Member will put a question down I will endeavour to answer it. In reply to the question on the Paper, I have to state that the attention of the Public Prosecutor has not been called to the cases referred to, nor is he able to say whether or not the statements of the hon. Member are correct in any particular. He is not at present prepared to take any proceedings in the matter. I would remind the hon. Member that under the Companies Acts, and particularly the Act of last Session, there are ample powers provided for the thorough investigation of matters such as those which he describes, and that it is not the duty of the Public Prosecutor to undertake such inquiries. The duties of the Public Prosecutor are regulated by statute and the rules made thereunder. I would refer the hon. Member to the Return presented to Parliament this year, which was in the hands of hon. Members on March 12.

MR. T. M. HEALY: May I ask whether Mr. Horatio Bottomley, like Mr. Harry Marks, is a Conservative candidate for Parliamentary honours?

[No answer was returned.]

THE CROFTER DISTRICTS IN THE WEST OF SCOTLAND.

MR. J. CHAMBERLAIN (Birmingham, W.): I beg to ask the First Lord of the Treasury whether he is now in a position to make any statement as to the intentions of the Government with regard to public works in the crofter districts of the West of Scotland?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The following statement shows what has already been done with regard to the recommendations of the Commission:—I. Steamer Communication.—Arrangements have been made for the following new or improved services from May 1 next:—(*a*) A larger and more powerful vessel will be placed on the Strome Ferry and Stornoway route, which is expected to perform the voyage regularly in six hours. (*b*) A daily service from Oban to Castle Bay and Lochmaddy, calling at certain ports in Skye and elsewhere. (*c*) A daily service round the Island of Mull, calling at Coll and Tiree four days a week. (*d*) A service from Portree to Dunvegan and Lochmaddy three times a week, calling at intermediate places and returning on alternate days. These services will involve an expenditure of nearly £7,000 a year in addition to the existing payments for the conveyance of mails. Negotiations are also in progress with a view to obtaining an improvement of the service between Shetland and the mainland. II. Piers and Harbours.—(*a*) A grant of £16,500 to the Harbour Trustees at Ness, in the Island of Lewis, has been sanctioned for the completion of the existing works and the construction of a new breakwater which will afford additional protection to the entrance of the harbour. (*b*) A grant of £2,000 has been sanctioned for the construction of a pier at Carloway, in the same island, provided that an efficient Local Authority can be constituted which will undertake to construct and maintain the work. (*c*) A grant of £8,000 towards the cost of erecting a pier and breakwater at Gott Bay, in the Island of Tiree. The total cost is estimated at £11,500, and the grant is to be made subject to the condition that some Local Authority or other responsible party will construct and maintain the works and provide the remainder of the cost. (*d*) Subject to similar conditions, grants have also been sanctioned for the following purposes:—£3,500 for a pier and breakwater at Talmin Bay, on the coast of Sutherland, estimated to cost £5,000; £4,000 for a steamboat pier at Uig, in Skye, estimated to cost £5,500; £3,000 for a boat harbour at Skerray, on the coast of Sutherland; £3,000 for a boat harbour at Portskerra, in the same neighbourhood; £3,000 for the improvement and extension of the existing works at Scrabster. With regard to the smaller piers and boatslips referred to in the Report of the Commission, the Government are prepared to provide the requisite funds within the limit and on the terms recommended by the Commission; and legislation is being prepared to empower the several County Councils or other Local Authorities to undertake the necessary liabilities. The Government have also under consideration the question of a grant to afford relief to the Trustees of Lerwick Harbour, in Shetland, and for the construction of piers in Orkney. III. Lighthouses and Beacons.—Grants amounting in all to £4,500 have been sanctioned for the erection of lighthouses and beacons, provided that arrangements can be made locally for their maintenance when erected. IV. Telegraphic Extension.—The Postmaster General has been authorised to erect telegraph lines from Stornoway to Carloway, in the Island of Lewis; from Durness to Scourie, and from Lochinver to Drumbeg, on the mainland; from Dunvegan to Glendale and Waternish, and from Isle Ornsay to Ardvasar, in Skye; to Westray, in Orkney; and to Whalsay and Bressay, in Shetland. The cost of the erection of these extensions will be about £6,600, and the work will be proceeded with at once. V. Roads and Railways.—A grant of £15,000 has been sanctioned for the improvement of the existing road between Stornoway and Carloway, so as to enable fish and other traffic to pass over it with greater despatch. When this improvement is completed the road will have no gradient steeper than 1 in 30. Negotiations for the construction, maintenance, and working of one or other of the railways mentioned in the first Report have been for some time in progress, but are not yet complete; but I anticipate I shall be in a position to inform the House of the decision of the Government on Thursday.

MR. CONYBEARE (Cornwall, Camborne): May I ask from what source these large sums are to come, and whether, as money seems to be plentiful, the right hon. Gentleman will consider the propriety of giving a little grant to the fishermen in Cornwall, who have suffered considerably during the winter?

*MR. W. H. SMITH: The hon. Member will see that I have not stated to the House any proposals for assisting fishermen beyond providing piers and harbours.

MR. CONYBEARE: We have been asking for the provision of harbours of refuge for the safety and profit of fishermen on the coast and the crews of vessels coming up Channel for a great many years. The right hon. Member for Birmingham knows that some years ago a deputation waited upon him upon this subject.

DR. CLARK (Caithness): Will there be an Estimate laid upon the Table of this House in the course of the year?

*MR. W. H. SMITH: The Supplementary Estimates relating to the matter will be submitted to Parliament this Session.

MR. A. SUTHERLAND (Sutherland): Will Sutherland be in the same condition in regard to grants as other parts of Scotland? I understand that two localities in the Highlands have obtained grants on the condition that the money advanced shall be in the proportion of two-thirds of the guarantee, whereas other localities are only to have grants in the proportion of one-third of the guarantee.

*MR. W. H. SMITH: I cannot enter into a discussion in regard to other places than those which I have already mentioned, but it is quite within the power of the hon. Gentleman to raise any discussion he may desire. As regards Sutherland, I have no doubt that any assistance actually required will be forthcoming.

DR. CLARK: Is the right hon. Gentleman prepared to bring in any Supplementary Estimates this Session? There can be very little doubt that the money has been hitherto voted foolishly and thrown away.

*Mr. W. H. SMITH: As I have said, an Estimate will be presented to Parliament in the course of the present year.

THE IRISH FISHERY COMMISSIONERS.

Mr. MACARTNEY (Antrim, S): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the prosecution of Mr. Charles Webb, millowner, of Randalstown, was directed by the Inspectors of Fisheries or by the local Board of Conservators; and, if by the latter, under what authority; whether he is aware that Edward Moles, the principal witness for the prosecution, swore that—

> "He was not particularly acquainted with the habits and customs of salmon, or the working of turbine wheels;"

whether he is aware that Mr. Webb applied to the Inspectors of Fisheries for an exemption under the provisions of the Fisheries Acts, and was informed that the matter would be considered; whether any reply has yet been made to Mr. Webb; whether his attention has been directed to the evidence as to the prejudicial effect the lattices required to be put up would have upon the working of these mills; and whether the recent prosecutions of millowners in County Antrim were undertaken with the cognisance and approval of the Inspectors of Fisheries?

The CHIEF SECRETARY for IRELAND (Mr. A. J. Balfour, Manchester, E.): The Inspectors of Irish Fisheries report that the prosecution mentioned by my hon. Friend was undertaken by the Coleraine Board of Conservators under the authority of the statute. The Inspectors are not aware of the general evidence given in the case. Mr. Moles is not under the control of their department. Mr. Webb did apply last month to the Inspectors for exemption, saying that he would furnish grounds for demanding it, but up to the present he has not done so. The Inspectors have no control over the initiation of prosecutions of this kind; but they deem it right to observe that they consider no exemptions from the necessity to erect gratings should be given where no injury to the water power of mills would occur if the gratings were kept clear of weeds and debris.

Mr. MACARTNEY: Is the right hon. Gentleman aware that there has been a meeting of the millowners of the County Antrim; that every mill is worked by water power, and that they defend the action of Mr. Webb?

Mr. A. J. BALFOUR: No, Sir; I am not aware.

Mr. WEBB (Waterford, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Messrs. Hill, Woollen Manufacturers, and Messrs. Shackleton, Flour Millers, of Lucan, County of Dublin, have been served with notices by the Fishery Commissioners to erect fine wire screens in the fall of their water power; whether he is aware that the wages of several hundred hands depend upon such firms working full power; and whether he will call the attention of the Fishery Commissioners to the general injury which the carrying out of this order would inflict on the above and other industries in Ireland?

Mr. A. J. BALFOUR: The Inspectors of Irish Fisheries report that the mills referred to are worked by turbines; that the 30th section of the Act 26 & 27 Vic., c. 114, requires that during the descent of the salmon, or young of salmon, to the sea, a grating or other efficient means to prevent such salmon or young of salmon passing to the machine shall be provided; and they point out that the requirement being limited to such descent, it is only for a short time in the spring of each year. The Inspectors further report that wire lattices have been erected in many places, which do not injure the water power when properly looked after.

Sir T. ESMONDE (Dublin Co., S.): Is the right hon. Gentleman aware that the Act under which these wire screens are required to be erected was passed many years ago, and that it has not been complied with or enforced?

Mr. A. J. BALFOUR: No, Sir; I was not aware that the Act has never been enforced.

LAND PURCHASE IN IRELAND.

Mr. KNOX (Cavan, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any statistics have been collected of the number and acreage of holdings in each county in Ireland which have been let to be used wholly or mainly for pasture, or which have been so used for the last 20 years, and of holdings in each county in Ireland on which the tenant does not actually reside; whether such statistics will be presented to the House before Clause 6 of the Purchase of Land and Congested Districts (Ireland) Bill is reached in Committee; and whether, before Clause 6 is reached, statistics and other information will be presented to the House showing the number of applications under the Land Law (Ireland) Acts which have been refused by the Land Commission on the ground that the tenancies were excepted by s. 58, ss. 3 and 4, of "The Land Law (Ireland) Act, 1881?"

MR. A. J. BALFOUR: There are no particulars in my possession of sufficient authority to warrant my laying them on the Table of the House in the shape of a Return. There has been a collection of figures dealing with Ireland as a whole, but I doubt whether they can be relied upon for each county. If the hon. Gentleman will put down a question for a later date, I will endeavour to give an answer as to the whole of Ireland. With regard to the last paragraph of the question, I am informed by the Land Commissioners that it will be impossible to give a Return in the form asked for.

MR. T. M. HEALY: Do the figures make any distinction between fields in pasture and for grazing purposes?

MR. A. J. BALFOUR: No; the figures I have got do not draw a distinction. I have no reliable figures on that subject.

MR. T. M. HEALY: Will they include the dairy farms of Munster?

MR. A. J. BALFOUR: I think the hon. Member had better wait until the figures are before him.

In reply to Mr. M. HEALY (Cork),

MR. A. J. BALFOUR said: No detailed information of the kind desired has ever been attempted to be given. All that has hitherto been done has been to give a general Return.

MR. MAURICE HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Land Commission, in ordering the redemption of head rents under Section 16 of "The Land Law (Ireland) Act, 1887," have adopted any uniform scale of price; and what the average number of years purchase has been in the case of any head rents ordered to be redeemed?

MR. A. J. BALFOUR: The Irish Land Commissioners report that under Sub-section 3 of Section 16 of the Land Law (Ireland) Act, 1887, the redemption price of head rents is fixed as by agreement or by arbitration, and that, therefore, no uniform scale of price exists. The Commissioners are unable to give the average rate at which such redemptions have been made; but they state that the prices appear to have ranged between 18 and 28 years' purchase of the rent.

MR. CHANCE (Kilkenny, S.): I beg to ask the Secretary to the Treasury whether tenants purchasing their holdings under the Land Purchase (Ireland) Acts become owners within the meaning of Schedule A of the Income Tax Act; whether any allowance is made under that Schedule for the annual instalment payable by the purchasing tenant; and whether the Government intends to propose any alteration in the law in these respects?

MR. JACKSON: The answer to the first question is, Yes. In regard to the second, it is immaterial whether the purchasing tenant pays the whole price at once or by instalments. No allowance is made. The same practice is adopted throughout the United Kingdom.

MR. CHANCE: Is the effect of purchasing to subject the purchasers to the payment of additional taxation?

MR. JACKSON: The hon. Gentleman had better give notice of that question.

THE ASHBOURNE ACT.

MR. RATHBONE (Carnarvonshire, Arfon): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will tell the House what amount, up to the most recent practicable date, of the total sum hitherto advanced or agreed to be advanced, for the purchase of Irish holdings under the Ashbourne Act, has been applied to the purchase of holdings of £30 a year rental and under, and what amount to the purchase of holdings over £30; and if he will give the House the same information as to holdings under and over £50 per annum?

MR. A. J. BALFOUR: The Irish Land Commissioners report that it would take a considerable time to classify the cases (numbering over 15,000) in which advances have been made so as to give the particulars indicated in the question. The Commissioners, however, refer to page 10 of their last Annual Report (House of Commons Paper, No. 6,233 of 1890), in which the advances are classified according to amounts, and which might possibly be of assistance to the hon. Member in respect of the object he has in view.

POSTAL SERVICE IN WEST CORK.

MR. MORROGH (Cork, S.E.): I beg to ask the Postmaster General if he has received a resolution, which was passed at the last monthly meeting of the Skibbereen Town Commissioners, setting forth the defective postal day service to Skibbereen and other towns in West Cork; and what attention he is prepared to give the matter?

*MR. RAIKES: The resolution has only reached me to-day. It shall receive careful consideration.

MILITARY CHAPLAINS.

MR. MAC NEILL (Donegal, S.): I beg to ask the Secretary of State for War whether his attention has been directed to a resolution, supported by His Grace Lord Plunket, Protestant Archbishop of Dublin, and passed unanimously on Wednesday last by the General Synod of the Church of Ireland, demanding from the Government a general recognition of the claims of the incumbents of parishes in which military barracks are situate to act as chaplains of the troops in their several parishes; and whether, having regard to the fact that the privilege now claimed by the Protestant clergy has been accorded to the Roman Catholic clergy, he will accede to the request of the Synod of the Church of Ireland?

*MR. E. STANHOPE: There are only three stations in Ireland at which the local clergy do not officiate to the troops. At those places large bodies of men are concentrated, quite sufficient in themselves to constitute a cure of souls, and it is therefore preferable that a commissioned chaplain under direct military control should look after the spiritual needs of each place.

LAND COMMISSIONERS.

MR. LEA (Londonderry, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when the Return recently ordered by the House relative to the appointment of Land Commissioners will be furnished to Members?

MR. A. J. BALFOUR: The Return referred to is being this day laid upon the Table.

TELEPHONIC COMMUNICATION BETWEEN DUBLIN AND BELFAST.

MR. THOMAS DICKSON (Dublin, St. Stephen's Green): I beg to ask the Postmaster General if he is aware that Dublin and Belfast are not connected by telephone; and if he will take into consideration the urgent necessity which exists for establishing telephonic communication between these two important cities?

*MR. RAIKES: In reply to the hon. Member, I have to say that no public demand for a telephone service between Dublin and Belfast has hitherto been communicated to the Post Office; but if the hon. Member has reason to think that there is such a demand and will communicate with me, I shall be glad to give the matter my best consideration.

ILLITERATE VOTERS IN SLIGO.

MR. WHITMORE (Chelsea): I beg to ask the Attorney General for Ireland if he can ascertain, for the information of the House, what was the number of votes that were polled by illiterate voters in the recent election in North Sligo?

MR. POWELL WILLIAMS (Birmingham, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can inform the House how many voters at the recent election of a Member of Parliament for North Sligo took advantage of the provisions of the law relating to illiterates; whether the number of such voters is larger than at the last contested election in 1885; whether he has any reason to believe that many electors in Ireland declare themselves to be illiterates who are, in point of fact, able to read the ballot paper and to mark it for themselves; if so, whether such action on their part is a contravention of the spirit of the Ballot Act; and whether, in that case, any steps can be taken to prevent hereafter a misuse of the privileges conferred by that Act?

Mr. WEBSTER (St. Pancras, E.): Before the right hon. Gentleman replies, I wish to ask a further question of which I have given private notice. I wish to know whether, at the said North Sligo election, it is the fact that owing to the large number of illiterate voters who presented themselves at one time the forms for illiterate voters ran short, and that the polling booth had to be closed for a considerable time; whether some who presented themselves as illiterate voters had no right to do so; and whether frequent discussions did not arise between the agents of the two candidates which removed all the secrecy of the ballot as to certain voters?

*Mr. SPEAKER: I think the question of the hon. Member ought to have been submitted to me, or put upon the Paper in the ordinary way.

Mr. WEBSTER: I beg to give notice that I will put it to-morrow.

*Mr. KNOX: Is the right hon. Gentleman aware that the large majority of the votes of illiterates were given in favour of Alderman Dillon, the candidate supported by the Tory Party?

Mr. A. J. BALFOUR: In answer to the questions on the Paper I have to say that according to the documents returned by the Sheriff at the proper office, the number of persons who voted as illiterates at the recent election at Sligo was 1,366 out of a total of 5,754. The corresponding figures for 1885 were 1,070 and 5,988, so that the proportion in 1891 was both absolutely and relatively higher than five years ago. This does not agree with the unofficial statement which appeared in the Press, and I am making further inquiries into the matter. I have no material for coming to a decisive conclusion as to whether fraud was practised by any of the electors or not. According to the Census of 1881, the percentage of illiterates to the whole male population is somewhat larger than the proportion of persons who voted as illiterates is to the total number of persons who polled. These are the facts. Arguments on both sides can be deduced from them, and I cannot offer to the House anything in the nature of a conclusive verdict.

Mr. SEXTON (Belfast, W.): I think it will be useful to know whether during the last decade the proportion of illiterates has increased or diminished in the various polling districts of the county.

Mr. A. J. BALFOUR: I presume the information can be obtained if the hon. Member desires to have it, and will put a question down upon the Paper. I have not got the information with me. Seeing the additional educational advantages now provided, the proportion of illiterate voters ought to have diminished.

DUBLIN SCIENCE AND ART DEPARTMENT.

Mr. MAC NEILL: I beg to ask the Secretary to the Treasury, with reference to the case of Mr. Mullen, technical assistant in the Science and Art Department, Dublin, who was promoted (and officially informed of his promotion) by the Lord President of the Council to a new post of assistant, created in the Department of Science and Art in consequence of a Treasury Commission and with the sanction of the Treasury, under the provisions of Clause 7 of Order in Council 4th June 1870, if he can explain why the Civil Service Commission and the Treasury subsequently withdrew their sanction to the application of the said clause on the ground that, as Mr. Mullen was within the limit of age, 30 years, for public competition, he must take part in the competition for the assistantship, Mr. Mullen being over 29 years of age, a Master of Arts of Trinity College, and having filled for seven years his former post to the satisfaction of the Department, and why Mr. Mullen was not apprised of the fact that he must compete for the post to which he had been appointed till the examination had been held; and whether, having regard to the hardship of the case, the Treasury will be able to modify their decision and to lay upon the Table of the House the Correspondence relating thereto?

Mr. JACKSON: I will make inquiry into the matter. The responsibility rests with the Civil Service Commission.

ATTACK ON A PRISON WARDER.

Mr. MAURICE HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is a fact that a warder named Fitzmaurice, in the Mountjoy Convict Prison, Dublin, was, on the 8th April instant, murderously attacked with a heavy iron bar by a convict of whom he was in charge, and that his life was saved by a prisoner named Daly; and whether Daly's action will be rewarded in any way?

Mr. A. J. BALFOUR: The General Prisons Board report that it is a fact the warder mentioned was attacked, but it does not appear that the prisoner Daly rendered assistance.

CORK COURT HOUSE.

Mr. MAURICE HEALY: I beg to ask the Attorney General for Ireland whether an Act of Parliament will be necessary to enable the Cork Court House to be rebuilt without delay; and what steps the Government propose to take in the matter?

The ATTORNEY GENERAL for IRELAND (Mr. Madden, Dublin University): The subject is under the consideration of the Government at the present moment.

Mr. M. HEALY: When will the right hon. and learned Gentleman be able to give more definite information?

Mr. MADDEN: As early as possible. I only received a communication upon the subject yesterday.

RELIEF WORKS IN WEST DONEGAL.

Mr. ARTHUR O'CONNOR (Donegal, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what steps, if any, have been taken to start relief works in Ranafast, Ranomona, and Loughnanoran, in West Donegal; whether he is aware that there is much fever in these districts; and what means of subsistence there are for the 783 inhabitants from this time till June, and for the women and children from June till the return of the wage-earners from the Scotch harvest in August?

Mr. A. J. BALFOUR was understood to request that the question should be deferred.

THE LABOUR COMMISSION.

Mr. CONYBEARE (Cornwall, Camborne): I beg to ask the First Lord of the Treasury whether, in view of the very widespread public interest taken in the questions referred to the Royal Commission on Labour, the desirability of forming and educating public opinion upon them, and the impossibility of the evidence becoming generally useful unless published *de die in diem* as the Commission proceeds, he will advise Her Majesty to command that the sittings of the Commission be held with open doors?

Mr. FENWICK (Northumberland, Wansbeck): May I ask the right hon. Gentleman whether, having regard to the evidence given before the Lords' Committee last year, as to the extent of the evil of sweating in the cabinet making, upholstering, clothing, and boot and shoe trades, and the fact that there are 10 employers of labour on the Commission to seven Representatives of labour, he will advise Her Majesty to consider the advisability of adding additional names representing the industries concerned?

*Mr. W. H. SMITH: The Commission was constituted so as to secure, in the judgment of Her Majesty's Government, a full and complete consideration of all the important questions to be submitted to them. It is not contemplated that every trade and every grievance shall be represented, and it must be obvious to the hon. Member and to the House that if the Commission were largely increased, as it would have to be if the suggestion of the hon. Member were adopted, the probability of a satisfactory result from its deliberations would be considerably diminished. As to the question of the hon. Member for Camborne (Mr. Conybeare), I have to say that whether the Commission will sit with open doors or not depends entirely upon the discretion of the Commissioners themselves. The Government will not interfere, and it has not interfered with the full discretion of the Commissioners in such matters.

THE BUDGET.

Sir W. HARCOURT (Derby): I beg to ask the Chancellor of the Exchequer whether he can now state on what day the Budget will be taken; and will he state when the Papers relating to the extraordinary expenditure under the Naval Defence Act, and the manner in which that expenditure has been made, will be presented?

Mr. GOSCHEN: The Budget statement will be made on Thursday week. With regard to the second question of the right hon. Gentleman, the figures which he desires are already in type; and I hope they will be in his hands in a very few days—certainly in good time for the Budget.

SCOTTISH FORESHORE RIGHTS.

Mr. KEAY (Elgin and Nairn): I beg to ask the Lord Advocate whether he is aware that Messrs. Alexander Wood, James Flett & Sons, Murdo Morrison, and others, fish curers, who hold portions of waste and uncultivated land within 100 yards of high-water mark on the foreshore at Castlebay, Island of Barra, for which they pay a yearly station rent, and on which they have built sea walls, curing stations, and landing stages at great cost, have received from the agent of the landowner notice to quit on 1st May next, no compensation being offered for the disturbance or for the large outlay which they have incurred; whether he is aware that the notices of removal were not served till after these fish curers had all engaged boats and crews for the forthcoming fishing season at bounties of £50 per boat, the result being a large additional loss to them if they have to quit their stations; whether he is aware that the reason for serving the notices is that these persons, while willing to pay the rent of their stations, have refused to collect from the fishermen certain fees charged by the landowner for net drying done by the fishermen upon the foreshore, which fees they have discovered constitute an illegal demand on the fishermen, which, if made, would subject them to heavy penalties; and whether it is in accordance with the law of Scotland that a landowner can expel these persons from their stations at two months' notice under the circumstances stated without any compensation for disturbance and for the loss of all their outlay?

Mr. J. P. P. ROBERTSON: I have received a mass of information about this question, both as it originally stood on the Notice Paper and as it stands at present, with the result that almost every single statement or suggestion is said to be more or less inaccurate. I am the more inclined to believe that these denials are well founded, because several of the persons named by the hon. Member disclaim all sanction of or sympathy with those statements. But the whole subject matter of the question is purely one of private right and contract, and it does not fall within my duty to express any opinion on the subject.

FRIENDLY SOCIETIES IN FRANCE AND BELGIUM.

Mr. HOWARD VINCENT (Sheffield, Central): I beg to ask the Under Secretary of State for Foreign Affairs if any Reports have been received from Paris and Brussels as to the State contribution and guarantee towards voluntary provision for old age among the people through Friendly Societies (*Sociétés de Secours Mutuels*); and, in the contrary case, if he will cause inquiry to be made on the subject?

Sir J. FERGUSSON: We have received no Reports, but we have a copy of the Report made by the Select Committee of the French Senate to that body upon the Bill in regard to Friendly Societies, which I shall be happy to show my hon. Friend. Reports will be asked for at Paris and at Brussels as to the law and practice in France and Belgium, if my hon. Friend will move for them.

THE EMBASSY AT CONSTANTINOPLE.

Mr. W. LOWTHER (Westmoreland, Appleby): I beg to ask the Under Secretary of State for Foreign Affairs whether it is true that Mr. Curwen, honorary attaché to Her Majesty's Embassy at Constantinople, had lately died there of typhoid fever; whether there have of late years been frequent cases of typhoid fever at the Embassy at Constantinople; and whether he contemplates having a Report made upon the sanitary condition of the Embassy?

Sir J. FERGUSSON: The lamented death of Mr. Curwen was due to typhus fever, not typhoid. As regards the sanitary condition of the Embassy, the system was reconstructed in 1878, and all discharge-pipes removed to the exterior of the building. In 1883 a thorough and independent examination was made, with the result that the efficiency of the sanitary arrangements was found to be thoroughly satisfactory. Since then further improvements in ventilation have been introduced. Though there is, therefore, no reason to attribute Mr. Curwen's death to any defect in those arrangements, instructions will be given to have the pipes and drains tested.

LORD STALBRIDGE AND THE COMMITTEE OF SELECTION.

MR. SEXTON (Belfast, W.): I beg to ask the right hon. Baronet the Member for the University of Oxford a question of which I have given him private notice. It relates to a published correspondence which has been read by many hon. Members with surprise and great dissatisfaction. It was published in the *Times* of Friday last, and the correspondence has passed between Lord Stalbridge, Chairman of the London and North-Western Railway Company, and the right hon. Baronet. A Joint Committee of both Houses was constituted for the purpose of considering the question of railway rates, and five Members of the House were nominated by the Committee of Selection. I have no complaint to make of the right hon. Baronet's action or of that of the Committee of Selection. The right hon. Baronet commands the respect of all Parties in the House. Judging from the facts, I should say that both the right hon. Baronet and the Committee of Selection have in this matter rightly vindicated the liberties of Members of the House of Commons. But an attempt has been made to influence the Committee of Selection, and I wish to ask the right hon. Baronet whether it is admissible, or in accordance with usage, for a Member of the House of Peers to interfere in the internal economy of the House of Commons in regard to the functions of the Committee of Selection. I should like to know also whether it is admissible, or in accordance with usage, that a gentleman in the position of Lord Stalbridge, a promoter of a Bill to be considered by a Committee, should endeavour to influence the Chairman of the Committee of Selection. In his letters Lord Stalbridge objects to three hon. Members who were nominated to serve on the Committee of the right hon. Baronet—Mr. Colman, Mr. Hunter, and Mr. T. Dickson, who were nominated to serve in place of Mr. Colman, who voluntarily withdrew. But from a passage in one of the letters the public would infer that Mr. Colman had been discharged from attendance in consequence of the letter of Lord Stalbridge. I wish to ask whether it is not the case that Mr. Colman first learned that he had to serve on the Committee late on the night of Tuesday, March 17; that on the next day Mr. Colman communicated with the right hon. Baronet in the House and with the Committee Clerk, informing them that he was a Petitioner against one of the Bills, and therefore it was impossible for him to serve; and that the matter having been considered by the Committee of Selection, Mr. Colman was discharged? Lord Stalbridge objected to Mr. Hunter as a Member of the Committee on the ground that he had taken the side of the traders in a book which he had published. It is absurd to suppose that the action of any man, either as an author, practitioner at the Bar, or Member of this House, should debar him from serving on a Committee; and I ask the right hon. Baronet to state that it is not true that Mr. Hunter has given advice to any of the Petitioners against the Bill. No statement has been made by the Committee of Selection with reference to Mr. Dickson, but Lord Stalbridge said the hon. Member was practically in the same position as Mr. Colman. I ask the right hon. Baronet to say that there is no truth in the suggestion. I ask whether the Committee of Selection has not determined to maintain Mr. Dickson in his position, and whether there is anything to prevent the hon. Member from discharging his duties in a disinterested and impartial spirit?

*SIR J. MOWBRAY (Oxford University): There are so many questions involved in the statement made that it is somewhat difficult, not having a paper to refer to, and having only had private notice that a question not specified would be put to me, to follow them. But I will endeavour to answer the questions as fully as I can. It seems to me that the first two questions involve considerations of Constitutional Law. As to the suggested action of Lord Stalbridge, I should say that it would be most unconstitutional if anything of the kind occurred, but I apprehend that Lord Stalbridge acted, not as Member of the other House, but as Chairman of the London and North Western Railway Company. I do not think, therefore, that the question can be magnified into one of a Breach of Privilege between the two Houses. I am glad that the hon Member has afforded me an opportunity of stating in the House the circumstances that guided the Committee of Selection in the constitution of this Committee. On the 17th of March a Committee, consisting of five Members, was formed. One of the Members was the right hon. Member for the Epping Division of Essex. The following morning a letter was received from the right hon. Gentleman saying that he would be unable to serve on the Committee owing to the state of his health. Another of the Members, the hon. Member for Norwich sent a letter stating that he was appearing as a Petitioner against one of the Bills, and he was therefore discharged from the Committee. The action the Committee of Selection thus took was quite independent of Lord Stalbridge's letter. The hon. Member for Norwich spoke to me in the House next day after receiving notice of his nomination. I told the hon. Member then that a mistake had been made, and that the Committee of Selection had not known the hon. Member's position. The moment it was known, however, the hon. Member was discharged, and this took place before the receipt of Lord Stalbridge's letter. The hon. Member for Norwich was replaced by the hon. Member for the St. Stephen's Green Division of Dublin, who has sat for 17 years in this House, and is well known and much respected. The only possible objection in his case is that on some occasion he gave evidence before the Railway Commission that railway rates in Ireland ought to be assimilated to railway rates in England. We thus filled up those two places the hon. Member for Norwich being replaced by the hon. Member for the St. Stephen's Green Division of Dublin. The Committee of Selection thought it rather a strong measure that the Chairman of the London and North-Western Company should address a remonstrance to us in respect to our action in this House. We have discharged our duties to the best of our ability; at the same time, if there were substantial reasons for questioning what we have done, we could not object to our attention being called to the facts. The Committee of Selection knew, before they adopted the name of Mr. Hunter, that he had been connected with the Board of Trade and with railway matters; but, personally, I took special means to inform myself that Mr. Hunter's connection with the Board of Trade had ceased. The hon. Member had practised as Counsel before the Railway Commission, and it does not appear that that fact should necessarily constitute a disqualification to serve on the Railway Rates Committee. The hon. Member has also published a book on railways which is, I am told, an ordinary text-book, and not containing any special views. Mr. Hunter has not sent me a copy of that book; but the Committee of Selection have had sent to them a good many books and pamphlets which it has been impossible for them to read. Indeed, it would be a very serious thing if it were regarded as a duty of the Committee of Selection that they should read every book sent to them. Hon. Members of this House, who have been desirous of being placed on certain Committees, have frequently sent books for me to read to show that before coming to this House they had distinguished themselves in connection with this or that subject. But I have never read any of them. The Committee did not purpose to send any answer to Lord Stalbridge, but, meeting Lord Stalbridge, his Lordship asked me what we had done, and I told him that we had discharged Mr. Colman, but that we saw no reason to interfere with the nomination of Mr. Hunter. Lord Stalbridge intimated that I should hear of it again, and I expected that a question would be addressed to me in this House. An hour afterwards I was surprised to receive a telegram from Lord Stalbridge—it was addressed to me from the House of Commons, not from the House of Lords—and said "Please send me a letter in reply to mine irrespective of conversation, Stalbridge." I sent his Lordship a guarded letter, which explained nothing more than he knew already, stating that I had no objection to repeating what I had said in the Lobby as one friend speaking to another, but not as Chairman of the Committee. I told the noble Lord what was notorious—that the Committee had discharged Mr. Colman and had retained Mr. Hunter. I only wish to add that the Committee have acted throughout with absolute unanimity. For 18 years I have had the honour of presiding over the Committee, and during that time we have not had a single division, but have been one and all responsible for the selections we have made. Our duties have been growing every year; we have acted with perfect unanimity, and I trust we have discharged our duties to the satisfaction of the House.

MR. HUNTER (Aberdeen, N.): I wish, Sir, by way of explanation, to add a few words in reference to a paragraph in Lord Stalbridge's letter which has not been referred to. I regret that before sending his communication to the Committee of Selection, Lord Stalbridge did not communicate with me, because he makes statements in that letter as to which he could personally have had no knowledge whatever, and it would have been desirable on his part to have ascertained beforehand whether those statements were correct or not. Had he done this he never would have sent that letter to the Committee, because in it he stated that I had committed myself to certain definite views in the matter of railway charges; that statement is absolutely incorrect. I had expressed no opinion on these charges whatever, for the simple reason that I had not any opinion on the subject, and I have no opinion on the subject, for the equally good reason, that up to the present time I do not know what those charges are. I have not had time to study the charges nor do I know what are the points in dispute between the Railway Companies and the Board of Trade. Therefore that statement of Lord Stalbridge is founded on absolutely incorrect data.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): The position of the Committee of Selection is one of very great importance, and the Committee is entitled to know whether it has the support of the House. The leader of the House in his own person is competent to give expression to the general feeling of the House upon that subject, and I should think it presumptuous if I were to undertake that duty. A question has been raised in the House impugning the conduct of the Committee of Selection, and the Chairman has given the House a detailed and lucid statement which appears to have met with the decided approbation of the House. I think, on the whole, it would be desirable, if the right hon. Gentleman does not think it superfluous, that he should give expression to the sentiment of the House, as his doing so would strengthen the hands of the Committee in the discharge of their duties.

*MR. W. H. SMITH: I have no hesitation in responding at once to the invitation of the right hon. Gentleman, although any observations on my part may be considered to be superfluous. Really, Sir, I feel, after the statement of my right hon. Friend behind me that any remarks on my part would be superfluous in order to express, as far as I am concerned, and I think I may speak for the House too, the complete confidence which we all possess in the discretion and perfect fairness with which the Committee of Selection discharge their duties. It has fallen to me more than once to express this confidence on the part of the House. I should have risen at once when my right hon. Friend behind me sat down if it had appeared to me that the slightest doubt existed in the mind of any hon. Member as to the course the Committee pursued being one which would receive the unanimous support of the House. I hope my right hon. Friend behind me will feel that there is no lack of cordiality in the expression of the complete confidence which, I believe, is felt by every Member of the House.

THE INDIAN OPIUM TRAFFIC.

MR. M'DONALD CAMERON (Wick, &c.): I wish to ask the First Lord of the Treasury a question, of which I have given him private notice, namely, whether, in view of the result of the vote of last Friday night on the opium traffic in India, and the strong feeling which that vote manifested against the traffic, both in this House and the country, he is prepared to give effect to my proposal for the appointment of a Royal Commission to inquire into the whole subject and thereby furnish to this House authentic data, which will guide its legislative action.

Mr. W. H. SMITH : I may say that, from my point of view, that proceeding is incomplete at the present moment. The hon. Baronet the Member for the Barnard Castle Division, who moved the Motion on which the vote was taken, expressed his willingness to accept the proposed addition to his Resolution, but on that proposed addendum the Debate stood adjourned. That addendum was moved by my right hon. Friend the Member for the City of London (Sir R. Fowler). But, unfortunately, no decision of the House was come to upon it. I hardly know whether it is practicable now to take a decision upon the whole question in the form in which it now stands, and in reference to the addendum moved by the hon. Baronet; but certainly the Government are of opinion that the sense of the House has not been expressed upon the whole question, and until that sense has been expressed, I do not think the Government could take any proceeding in the way of making any communication to the Indian Government upon the subject. No doubt the Government of India will take their own course upon the matter; but, as far as we are concerned, we feel that the question is not in that complete state in which we are called upon to take any proceedings.

The Marquess of HARTINGTON (Lancashire, Rossendale): Perhaps, Sir, with your permission, I might be allowed to put a question to you, namely, whether it is in your power to state to the House what is the exact position of the Motion of the hon. Baronet the Member for the Barnard Castle Division of Durham, and the Amendment of the right hon. Gentleman the Member for the City of London. I see that the Motion still remains on the Paper as attached to the 16th Order of the day on the Motion for the Order for Supply in Committee. I presume, however, that even if that Order can be reached to-night the Adjourned Debate, which was not concluded on Friday night, could not be continued; and I presume that you would leave the Chair without any Question put. I desire now to ask whether the Motion to which I have referred would remain for an indefinite time attached to the Order for going into Supply; and, if not, in what form it will remain on the Order Book, and in what manner it is possible, if the House desires to do so, to resume the discussion on the Motion and the Amendment of the right hon. Gentlemen opposite?

*Mr. SPEAKER: In reply to the noble Lord I will state the exact position in which the matter stands. Upon the question that I now leave the Chair, which was submitted to the House last Friday, the hon. Baronet the Member for the Barnard Castle Division moved an Amendment. On a Division all the words of the Motion that I now leave the Chair were negatived, except the first word, "that;" the words of the Motion of the hon. Baronet were added, and his Motion then became the Substantive Question. To that Motion an Amendment was moved by the right hon. Baronet the Member for the City, and by the lapse of time the Debate on the addition to the Motion became an Adjourned Debate. It will therefore be observed that the House passed no definite decision either on the first Amendment as a Substantive Question, or upon the Amendment which was moved as an addition to the Substantive Question, in consequence of the lapse of time. On coming to the Order I shall have again to propose the Question—the Substantive Resolution and the Amendment that has been moved to it—and, if the Amendment be carried, I shall have to put the whole Resolution with the addendum attached to it; and then the House will express its opinion upon the Substantive Motion amended by the addendum, or, if the addition of the words be negatived, on the Motion alone. If Supply is taken on Monday or on Thursday I am obliged to leave the Chair without Question put, and therefore I should not be able to propose the Question on the Resolution of the hon. Baronet the Member for Barnard Castle. If I am asked what I should do on Friday next I must reply that I should then have to put, not the Question of the hon. Member for Barnard Castle, but the Question that I do now leave the Chair, upon which the Amendments on the Paper specially put down for Friday would take precedence of any other Amendment. Therefore, I know not what would become of the Amendment to the Motion of the hon. Member for Barnard Castle on Friday next. But it would, of course, be open to the Government to offer facilities for treating the subject as a Motion and by giving that Motion a place among the Orders of the Day on a Government night. That lies altogether in the discretion of the Government. I do not think any other question arises which I am called upon to answer.

SIR J. PEASE (Durham, Barnard Castle): I would ask my right hon. Friend the First Lord of the Treasury whether he proposes to make that Motion that this Resolution be an Order of the Day? With the leave of the House I should like just to say that my right hon. Friend opposite has hardly correctly represented my view with regard to the Motion in the Amendment moved by my hon. Relative and Friend the Member for the City of London. I said I was quite prepared to accept the principle employed in his Amendment, but I was not prepared to accept his exact words, and I also read to the House the words I was prepared to accept as an addition to my now substantive Resolution.

MR. J. M. MACLEAN (Oldham): Before the right hon. Gentleman the First Lord of the Treasury replies I should like to ask him whether the Government intend to take the Amendment of the right hon. Gentleman the Member for the City seriously? I should like to ask them if they propose to place this unjust and intolerable burden on the English taxpayer?

*MR. W. H. SMITH: The question now assumes an entirely new character, and I am not prepared to state to the House whether or not the Government are prepared to adopt the Motion of the hon. Baronet as an Order of the Day, or put it on the Paper with that object. I may state generally our view, that this Resolution is a matter which requires further consideration before it is accepted by the House. We shall on a later day state whether or not we can offer facilities to the hon. Baronet by making progress with his Resolution.

PUBLIC ENTERPRISES IN SERVIA.

MR. P. STANHOPE: I beg to ask the Under Secretary for Foreign Affairs whether he is aware that applications are being made for capital in the London Money Market for public enterprises in Servia, founded on concessions from the Servian Government; whether it is not the fact that cases have been brought officially under the notice of the Foreign Office showing grave irregularities in the administration of justice, and total disregard of the rights of foreigners in Servia; and whether, having regard to the insecurity of property thus manifested, and the apparent unwillingness of the Servian Government to give reasonable satisfaction and protection to the just claims of foreigners, he will, in the public interest, communicate Papers on the subject to the House?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): I am aware that certain enterprises in Servia, founded on concessions from that Government, are being submitted to the public here. I do not know of any case affecting British subjects, except one in which my hon. Friend is interested, in which it can be said that—

> "Grave irregularities in the administration of justice have occurred, and a total disregard of the rights of foreigners in Servia."

Several cases have been reported in which monopolies have been conceded and cancelled during their currency, on the alleged ground that the concessionaires had failed to comply with the conditions of their contracts and had made inaccurate returns. In these cases, on the representation of Foreign Ministers, payment was made for the plant of the companies and pecuniary compensation. In the case in which the hon. Member and others are interested, and which concerns the refund of moneys advanced by them many years ago without any desire for gain, but to save the credit of the Bank of Servia, and incidentally of the Servian State—for years these gentlemen have been subjected to postponement, but in 1890 the Servian Government undertook to take the debt upon themselves. Up to this time, I regret to say that, in spite of the constant representations of Her Majesty's Minister at Belgrade, no settlement had been obtained. According to a Despatch just received, the Servian Ministry states that the matter will be immediately considered by the Cabinet, and I earnestly hope that, in view of its importance to Servian credit, it may be settled without further delay.

SELECTION (STANDING COMMITTEES).

Sir JOHN MOWBRAY reported from the Committee of Selection: That they had added Mr. Coghill to the Standing Committee on Law, and Courts of Justice, and Legal Procedure.

Sir JOHN MOWBRAY further reported from the Committee: That they had discharged Sir James Corry from the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufacture; and had appointed in substitution, Mr. Macartney.

Report to lie upon the Table.

ORDERS OF THE DAY.

REGISTRATION OF CERTAIN WRITS (SCOTLAND) BILL [LORDS].—(No. 272.)

SECOND READING.

Order for Second Reading read.

(5.10.) THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): This is a purely Departmental measure relating to the General Register of Sasines in Edinburgh; but it is somewhat urgent, as it ought, if the House approves, to come into operation on the 15th May. The matter stands thus: In Scotland titles in land are registered according to counties. Now, the Boundary Commissioners are at present altering the boundaries of counties, and their orders affect registration in this way—that any new titles to land which are changed from one county to another would have to be registered in the Register of the county to which those lands have been transferred instead of in the Register of the county to which they formerly belonged. It is found that the public and the conveyancers have not become sufficiently acquainted with the Orders already made by the Commissioners, and some are yet to be made. By the 15th May, 1892, matters will be mature; the changes of boundaries as affecting all counties in Scotland will take place simultaneously, and agents will be in a position to make conveyancing descriptions easy and accurate. As certainty and security in matters of titles are matters of vital moment, we think it best to postpone the date of this change accordingly, saving at the same time the validity of all writs already registered. Two minor departmental matters are also made definite, although they were scarcely in doubt—the fusion of the Registers of Orkney and Shetland, and the maintenance of the coincidence of teind titles with land titles so far as regards the county division of the Register. After this explanation I hope the House will allow the Bill to pass its Second Reading.

*(5.12.) MR. J. B. BALFOUR (Clackmannan, &c.): I do not rise for the purpose of opposing or throwing any obstacle in the way of the progress of this Bill. I entirely approve of the object to be attained by it, but I wish to ask a question as to a matter germane to the Bill in regard to which a good deal of anxiety is felt, particularly among the legal profession in the West of Scotland, as to the effect of the Local Government Act of 1889 upon the existing legislation in regard to the boundaries of certain localities, and in particular upon the boundaries of the Barony and Regality of Glasgow for purposes of registration?

(5.13.) THE LORD ADVOCATE: I am glad the right hon. Gentleman takes the view he has expressed as to the Bill itself. As regards the point he has raised, I have considered the question, and there is really no ground for doubt on the subject. The special Act of 1871 declares that the barony and royalty of Glasgow shall be deemed to include certain parishes, and not to include any part of another parish, which is named. By the Local Government Act of 1889, any change made by order of the Boundary Commissioners in the boundaries of a parish, alters those boundaries for all purposes. It is thus clear to demonstration under these two Statutes that writs will be registered in the royalty of Glasgow, or not in the royalty of Glasgow according to the legal contents of the parishes at the date of the registration, and therefore, after a change by the Boundary Commissioners, according to that change.

Bill read a second time, and committed for to-morrow at Two of the clock.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

*(5.14.) MR. SMITH-BARRY (Hunts, S.): I rise to propose the Amendment that stands in my name. It is one that can be very easily understood, and I do not think I need occupy the time of the House at any length. It is proposed to purchase land from the owners and to pay them in paper. The result is, that they will have to convert it into cash in the first instance so as to be able to pay off in cash their mortgages, their family charges, and any other charges there may be on the land. As far as I can understand the Bill, they will also have to pay in cash the Government charges on the land, such as the tithe rent-charge, the drainage charges, and so forth. The unfortunate proprietors may have to sell out their Land Stock at a loss for these purposes. I suppose the Chancellor of the Exchequer hopes that the Stock will stand at par. It may or it may not, but there is a probability that, at any rate, it will very largely fluctuate. During 1890 Consols fluctuated between 92-93 and a fraction, and 98 and a fraction, while Indian Three per Cents. during the same period fluctuated between 94½ and 101⅛. We may expect that the Land Stock will also fluctuate very considerably; and if the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) comes into power again, the probability is that the Stock will go down very rapidly, as all Irish securities did when he was last in Office. We know that during that right hon. Gentleman's last administration the Bank of Ireland Stock went down from about 330 to 269. The landlords have suffered pretty considerably up to this. A great number of them purchased their estates under State guarantees, buying under the Landed Estates in open Court, under the authority of a Judge sitting on the Bench, and upon the understanding that the rents amounted to so much and were punctually paid. They found afterwards another set of officials coming in and reducing the rents very considerably. And this is not all, for the right of re-occupying the lands has been taken away from them. This may be right or wrong, but, at any rate, it is not just to the Irish landlords, and I hope the Government will at this last moment, when the Irish landlords are going to sell out, see that they are paid in a currency which is not depreciated. The effect of paying in Stock which may considerably fluctuate will undoubtedly be that the landlord will be compelled to sell to the tenant at a higher price than he would otherwise be prepared to take. I hope that, under these circumstances, the Government may see their way to accept my Amendment.

Amendment proposed, in page 1, line 10, to leave out "nominal amount," and insert "value."—(*Mr. Smith-Barry.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

(5.21.) MR. SEXTON (Belfast, W.): I do not wish to follow the hon. Member into the irrelevant portion of his speech; but, if he is to be taken as the spokesman of the Irish landlords, those landlords have proved themselves to be a most ungrateful body. It might surely have been expected that they would have been grateful to the present Government, and not have taken up a critical attitude in reference to the Bill. Does the hon. Member forget that this is the Bill of a Government, that by its previous measures has made land in Ireland a saleable article? The hon. Member spoke as if it were in the power of the Irish landlord any day to take his land into the market and get a price for it. The landlords are told by the Bill that they will be paid for their land in a Stock which, as far as I can judge, is a better Stock than that held by the public creditors of the country—by the men or the representatives of the men who lent their money to this country in a time of need. These public creditors lent their money to the State at 3 per cent., but very recently the Chancellor of the Exchequer gave them short notice that they must accept 2¾, and that after 12 years more they must either accept the re-payment of their principal or be content with 2½ per cent. Is it not extreme audacity that in the face of such a state of public finance a representative of Irish landlords should rise and express discontent with $2\frac{3}{4}$ per cent. Stock? It must be remembered that the Irish landlords can obtain legal and financial advice, and that any landlord selling his estate will be perfectly well able to appreciate the fact that he is to be paid in Stock. He will, of course, make his arrangements accordingly. If the hon. Member's Amendment were accepted, the only effect would be to enable frauds to be committed on the tenants. The tenants are illiterate men, who have not the benefit of legal or financial advice. Suppose the case of a man selling his farm for £500. This is what will happen: The landlord would get Stock to the cash value of £500. If the Land Stock stood at 96, the landlord would, of course, get £520 worth of Stock instead of £500, and the tenant would find himself liable for the larger figure. In the same way, the tenant would have to pay 4 per cent. interest on the £520 instead of on the £500. Certainly, if the Government desire this Bill to work efficiently, they will reject the Amendment.

(5.26.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I think my hon. Friend is under some misapprehension with regard to our proposal. We have endeavoured to propose a just measure as between the landlords on the one side, and the tenants on the other; and it must be borne in mind that this is a case in which the State is mainly concerned. We consider that we have made a very fair offer of the credit of the State, and I am sorry to tell my hon. Friend that we certainly do not see our way to accept his Amendment. One of the main reasons why we cannot do so is that we cannot pledge ourselves to grant funds for the purposes of this Bill without knowing what those funds will cost us. These operations will extend over a very considerable period of years, and no Chancellor of the Exchequer would be likely to assent to unlimited demands being made upon him for amounts which he could not foresee when he had no means of knowing how he would be able to raise money to meet them. I wish, also, to point out to my hon. Friend that the Bill is not compulsory. It would not be right that the Government should be forced to raise money, perhaps at 3 or $3\frac{1}{2}$ per cent., when they receive only $2\frac{3}{4}$ per cent. on the annuities. We have endeavoured to create Stock which might fairly stand at par. The hon. Member for Belfast (Mr. Sexton) has pointed out that, while the interest on the Land Stock will be $2\frac{3}{4}$ per cent., the interest on Consols 12 years hence will be only $2\frac{1}{2}$ per cent. I do not pretend that if the interest were exactly the same, the Stock would stand on precisely the same footing as Consols, because the large bulk of Consols generally places them in a somewhat better position than would otherwise be the case. We have thought that $2\frac{3}{4}$ was as far as we could reasonably go without loss, and I trust I have made it clear to the Committee what are the strong financial reasons why we cannot meet the view of my hon. Friend.

(5.30.) SIR W. HARCOURT (Derby): Of all proposals ever made in Committee this is, I think, about the coolest. Here is "Oliver," in the shape of an Irish landlord, asking for more. The Irish landlords ask this—the very people for whom this Stock is created, which is eventually to be more valuable than Consols, which is to be guaranteed by the English taxpayer, and over a term of 30 years at $2\frac{3}{4}$. I can scarcely find a Parliamentary term to characterise the demand. The Chancellor of the Exchequer says in a mild manner, "We have given you a Stock guaranteed for 30 years at $2\frac{3}{4}$ per cent.," but what, I ask, would be the value of that in the market to-morrow? The right hon. Gentleman knows it will be worth a good deal more than his Consols. He knows that perfectly well, and anyone familiar with the Money Market is aware that Consols stand a good deal below par, very much to the disappointment of the gentlemen who, on the advice of their bankers, for 1s. 6d. were induced to believe the Chancellor of the Exchequer when they were told that they would be worth £100 or more. People who took the right hon. Gentleman's Stock when they might have had £100 can now only get £96 or £97. What is the reason of this to a considerable extent? People who are acquainted with these matters tell me it is the knowledge that these $2\frac{3}{4}$ are at a future period to fall to $2\frac{1}{2}$, and people do not like Stock which is to fall in its interest value in the future. This has had the effect of making Consols a good deal less popular with investors than in former times. Now, what does the Chancellor of the Exchequer give to Irish landlords? He gives them a guarantee of $2\frac{3}{4}$ for 30 years. I do not pretend to put a value on this Irish Land Stock, but no doubt the brokers in the City will tell you how much more this Stock will be worth than Consols. Yet, with this Stock offered for their land, the typical Irish landlord comes here and moves an Amendment asking for more. It is very well that at this early stage of the proceedings we should understand both the spirit in which the Bill has been originally framed by the financial advisers of the Government and the spirit in which the Irish landlords desire to expand it.

*(5.35.) Colonel WARING (Down, N.): I do not wish to prolong this discussion further, but I would ask the Chancellor of the Exchequer to consider between this and the time when we reach Clause 7 the parallel question of less wide extent which I propose to raise by the Amendment of which I have given notice. I think he will see the reasonableness of this, which does not involve an expenditure of public money.

Mr. KNOX (Cavan, W.): I do not wish to detain the Committee on an Amendment which finds no favour, but I would observe that if during the progress of this Bill the hon. Member intends to bring forward many Amendments like this it would be better for the Government to give him his peerage at once. To adopt such a proposal would render the Act quite unworkable. The effect would be that no tenant would know what he had to pay when he contracted to buy a farm, and the Land Commissioners would not know how much of the advance could be made without fear of the farm not providing enough security. The whole Act would be rendered unworkable.

(5.36.) Mr. CHANCE (Kilkenny, S.): Under the proposal of the hon. Member for South Hunts the landlord would know the advantages of his position, but the position of the tenant is an exceedingly difficult one, because he has to pay his annuity of £4 for 49 years, and for this he receives £100 as a loan, but still he has to pay into the Sinking Fund a sufficient sum to amount at the end of 49 years to £100 cash and 4 per cent. in the meantime. In exchange the Treasury floats off on him Stock worth $98\frac{1}{2}$ now, and which may be worth less hereafter. Having got his £100 cash for something worth £98 10s. in the open market, there is nothing to prevent the National Debt Commissioners going into the Sinking Fund and buying up the Stock. So that really the Treasury, by issuing this Stock for £100, sweats the tenant to the extent of 30s. or 40s. That is to be dealt with by a subsequent Amendment; but this view of the case has been passed over by the hon. Member for South Hunts.

(5.37.) Mr. T. M. HEALY (Longford, N.): One remark of the Chancellor of the Exchequer I take notice of, that it is the duty of the Government in this business to hold the scales evenly between the landlord and tenant. But while he thus poses before the House, the fact is these arrangements have been arrived at between the landlords and the Government, not a single Representative of the Irish Party being consulted, or even asked a question as to his view of the point. All through the winter the Irish Landlords' Committee have been holding meetings, and they have succeeded in effecting enormous changes to the prejudice of the tenant, getting the Government to cut down their Bill of last year, and bring forward this plan, and then the Chancellor of the Exchequer gets up and, in his balmiest manner, assures the Landlord Party that a Conservative Government must hold the scales evenly between them and us, between those whom he has had ear-wigging for the last six months, and the tenants who now have the first opportunity of saying a word on this point. In this state of facts, it is a very mild suggestion for the right hon. Gentleman to make. What is more, I do not believe we have got to the end of this business yet. We have had experience of the action of hon. Gentlemen opposite, and I believe that, bad as this Amendment is, it will yet be swallowed by the Chancellor of the Exchequer. The right hon. Gentleman shakes his head; but you jump before you come to the stile. There is still the House of Lords to reckon with. We shall see the result when the Marquess of Waterford and others assemble their forces to attack the Government.

We have seen their influence on a Liberal Ministry, and *à fortiori* they have greater chance with a Tory Government. The Bill, as it stands, contains a distinct grievance to the people of this country. You issue this Stock at $2\frac{3}{4}$, and though I do not like to pose as a financial prophet, and do not know much about these matters, I think the effect of this coming on the market will be to depress Consols another point, for it stands to reason a man will prefer Stock at $2\frac{3}{4}$ for 30 years to Stock at $2\frac{3}{4}$ reduceable to $2\frac{1}{2}$ in 15 years. The Government by assenting to this proposal to create this Stock are making a further inroad on the pockets of confiding people who consented to lease their money out two or three years ago at the suggestion of the Chancellor of the Exchequer. And now the Irish landlords are attempting further pressure. I might mark our sense of what this Amendment means by moving that the question be now put, but that perhaps would be too strong a course to take. I think the hon. Member for South Hunts and his friends would be well advised to take what they can get and make the least possible noise about it.

(5.44.) Mr. LABOUCHERE (Northampton): I am afraid we cannot accept the Chancellor of the Exchequer as that guardian of the public purse he claims to be, because I think if he fulfilled that position we should not have this Bill at all. Allusion has been made to the astounding greed of the Irish landlords, but nothing they could ask for would surprise me, though I am considerably surprised by the statement of the Chancellor of the Exchequer. The right hon. Gentleman said that this Stock was issued at $2\frac{3}{4}$ for a lengthy term of years, because it would not be so valuable as ordinary Consols, owing to it being in small quantities, I presume. Well, I ask the Chancellor of the Exchequer why we are to be done out of this $\frac{1}{4}$ per cent. The object is to get this money, and surely the primary duty of a Chancellor of the Exchequer is to issue his paper in such a way that it will produce the greatest amount. If he were issuing ordinary Consols we should be gainers not losers; if the view of the Chancellor of the Exchequer is correct that $2\frac{1}{2}$ Consols are to be at par with the condition that in 30 years——

The CHAIRMAN: Order, order! The hon. Member is anticipating a later question.

Mr. LABOUCHERE: Yes, Mr. Courtney, but I was only answering the Chancellor of the Exchequer. I thought he was out of order when he was advancing his argument. The hon. Member for South Hunts was good enough to tell us that this was an Irish security, and he said if the right hon. Gentleman the Member for Mid Lothian were to come into office, Irish securities would fall because they did fall when last the Liberal Party came into power. Now, the only reason why this is called an Irish security is that certain Irish guarantees are attached to it; the fact is, this thing is tainted with these guarantees, and it would be infinitely better if those guarantees did not exist. I urge this upon the Chancellor of the Exchequer, and perhaps he will put an end to these guarantees. The right hon. Gentleman made another mistake. He said that landlords ought to have their money in cash because if Consols fell they would be losers. The reason why Consols fall is because of the general condition of the country; when the country is not supposed to be so prosperous they fall, but then all securities fall, and if you get 92 in bad times, that represents what 100 is in good times—92 would be an equivalent for securities that in bad times would pay 100. I only point this out to show that the landlords in their reckless greed do not take the trouble to look into the question, but just call out, "More, more," no matter what comes, and I believe if they were offered 200 for 100 they would clamour for 300, and there is no hope of satisfying them.

(5.48.) Mr. CHANCE: Is it not true that under the Ashbourne Act the tenant will have to repay to the Sinking Fund £100 for each £100 nominal Stock, and if this is not worth £100, will not the difference be a profit to the Treasury?

Mr. GOSCHEN: There will be no such profit, the £100 goes into the Sinking Fund for the repayment at the end of 49 years.

Mr. CHANCE: But cannot the National Debt come in before that time and buy in the open market?

Mr. GOSCHEN: Yes, just the same as they can buy up Consols.

MR. CHANCE: And thus make a profit?

*(5.47.) MR. SMITH-BARRY: With the general feeling of the Committee against the Amendment, and with the Government opposed to it, I wish to withdraw my Amendment. ["No, no!"]

MR. T. M. HEALY: I think we cannot allow the Amendment to be withdrawn.

THE CHAIRMAN: Is it your pleasure the Motion be withdrawn? [*Cries of* "No!"]

Question put, and agreed to.

THE CHAIRMAN: The next Amendment standing in the name of the hon. Member for Elgin is applicable to the 6th clause.

(5.50.) MR. KEAY (Elgin and Nairn): I presume, Sir, you were speaking of the first of my two Amendments, and I will propose the second of these. Before moving it I desire to call attention very briefly to the conduct of the Chief Secretary in this Committee with regard to two Amendments which have already been considered, and to put myself in order I will conclude with a Motion. You are aware, Sir, that up to Friday only two Amendments had engaged the attention of the Committee, and one of these was that of my hon. Friend the Member for Dundee; and on moving that my hon. Friend charged the Government with concealment and pursuing a tortuous policy, and the Chief Secretary replied. Then, when I ventured to press him for an answer in reference to the Guarantee Fund, he would not give a word of explanation. I do not complain much of that. But then, on the Motion of my hon. Friend the Member for Northampton, the right hon. Gentleman very complacently said that he had already fully answered in detail all the representations which my hon. Friend had submitted. He also stated that he had last year produced certain figures to prove the solvency of his Guarantee Fund, and that the contingent portion, therefore, would not be touched; and he fearlessly stated that these figures had not been and could not be controverted. I followed him, and just as he was leaving the place I ventured to call his attention to the fact that he had omitted to answer an all-important part of my hon. Friend's speech, that part where my hon. Friend showed by distinct figures that instead of the Guarantee Fund being solvent there would be an enormous deficit at the end of 40 years. The Chief Secretary came back to his place and interrupted me—an interruption to which I do not in the least degree object, but I mention it because after the interruption he left his place again. He said it was true he had omitted to reply to that most important point—the deficit in the Guarantee Fund at the end of 40 years; but still he made no reply except that it would be more convenient to speak upon it at a later stage. I then proceeded to traverse the allegation he had made that his figures had not been contested. I went over these figures in detail, and if I may say so, I tore those figures to tatters. I do not know if I should be in order in going over these figures, but if I may I will do so.

MR. GOSCHEN: I rise to order. Is it in order for an hon. Member to go over the whole discussion of the other day. Is it possible for an hon. Member to go over his argument again on the ground that he has not been answered?

THE CHAIRMAN: Undoubtedly the hon. Member cannot re-state his argument and get it discussed again. If he complains that his argument has been unanswered he may make a statement to that effect, but he must confine himself to that. Attempts have been made to arrest the progress of a Bill on the ground of neglect to answer an argument, but have never been favourably regarded by the House.

MR. KEAY: I felt I was in danger of transgressing, and was saying as much when the right hon. Gentleman rose to order. I simply confine myself to a statement of the error the right hon. Gentleman has made when he credits himself for having a fund of £1,300,000 when he will only have £229,000. I showed the importance of this, and invited the Chief Secretary to give the Committee an explanation. And what happened? The Debate proceeded, and just when I was again about to ask the right hon. Gentleman whether he adhered to his figures or whether he recognised the mistake he had made in them, he stood up, and I thought was about to make an explanation; but he moved the

Closure, and the result was that on Friday evening the Committee divided destitute of any information from the Government, and at this moment the Committee is destitute of information from the Government as to whether the Guarantee Fund, which the right hon. Gentleman says will amount to £1,600,000 will not amount only to £229,000. On this ground, I think, I am justified in calling the attention of the Committee to the conduct of the Chief Secretary, and I trust he will give the Committee that explanation which may be fairly expected from him. To put myself in order, I now move that you, Sir, do report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Keay.*)

(5.59.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I do not know whether the hon. Gentleman is in order; but certainly I do not think he leaves me an opportunity of being in order in replying to him. So far as I can make out the singularly inopportune statement with which he has interrupted the progress of the Committee, he refers to a reply he gave on Friday, as, I think, an inappropriate and absurd reply, not to my speech in answer to that of the hon. Member for Northampton, but in answer to a speech I delivered on a motion for the Second Reading of the Bill in the Spring of last year.

MR. KEAY: The right hon. Gentleman is slightly mistaken. The whole foundation of my argument, which otherwise would not have been in order, was that words fell from him in his reply to the speech of my hon. Friend the Member for Northampton, on Friday, when he alluded to the figures he had given to prove the solvency of the fund, adhered to them, and said they had not been controverted.

MR. A. J. BALFOUR: It appears that I am correct—the complaint the hon. Gentleman makes is of a speech I delivered a year ago, and he now attacks me for not defending that speech which was not before the Committee on Friday, and figures, which by a long and elaborate process I put before the House on the Second Reading. My reference on Friday was not specially to these figures to which I adhere, but to the general argument by which I defended the security of the fund. I do not know that I am in order in going so far as this in explanation, for I believe I am right in the supposition that on a Motion to report Progress we must confine ourselves to that Motion.

(6.0.) MR. KEAY: My only object was to try and secure some assurance from the Government that they would studiously endeavour to guide the deliberations of this Committee on a very difficult subject in a more satisfactory manner. If we are to understand the right hon. Gentleman is giving us that assurance, I have not the least desire in the world to obstruct the proceedings. I therefore ask leave to withdraw my Motion.

Motion, by leave, withdrawn.

(6.2.) MR. KEAY: I now wish to move the second Amendment which stands in my name. Originally that was in a different form, a form which I understood you (the Chairman) to intimate was not admissible. Its object was to secure that after the tenant had paid all the instalments of principal and interest, he should still be subject for a given number of years to an annual charge; you were good enough to inform me that that overstepped the point of order in regard to this Bill, and in consequence, I have so altered it as to secure that an irreducible minimum shall, for the benefit of the community, be paid to the Treasury for a period of 60 years in respect of every holding purchased by means of advances made under this Act. The annuity is to be at the rate of £4 for every £100 so advanced, and so in proportion for every less sum, the residue of which after payment of the principal and interest on the advance shall be applied in relief of Imperial and local taxation in Ireland. I need hardly say that the object of this Amendment is to obtain for the State and for the community some form of *quid pro quo* for the immense advantages which are conferred by the use of British credit. The form of the Amendment follows as closely as possible the provisions of the Ashbourne Act of 1885, in which a similar alteration was made in the terms of repayment of advances under the Irish Land Act, 1881. So much for the form of it. And now with regard to the substance of it. I may remark at the outset it is universally understood in the Committee that the State gains nothing out of this transaction for the first 49 years, for the tables which regulate the amount of the annuities have been so framed as to produce a net interest of 2¾ per cent. for the discharge of the public obligation to the bondholders, and 1 per cent. accumulating for 49 years, which goes to the payment of principal. I do not think it necessary to speak about the remaining ¼ per cent.—the county percentage—for it is a very trifling matter. Now, why have I fixed the time at 60 years? I have done so on this principle: The Sale of Land Bill, 1886, was framed, although in a different manner, with the same object as is aimed at by this Amendment. It was framed so that while the tenant had to pay the capitalised gross rental, the landlord only received the capital sum on the net rental. Thus about one-fifth part of the purchase money was retained for the benefit of the community as a *quid pro quo* for the vast saving effected by the use of British credit. I have been told that an enactment of this kind would give rise to political considerations; but I find that in all matters in which landlord and tenant are concerned "political considerations" do arise, and that the term is simply a substitute for "pecuniary considerations." Another objection which has been advanced is that the Ashbourne Acts, which are in full force, have given the tenant an absolute property in his holding after 49 years, and it would be unjust to spread the charge over 60 years in the case of tenants under this Bill. I cannot see that there is very much weight in that objection, because the drafting of this Bill is a confession that the tenants under the Ashbourne Act got too good terms, and that Act now having, for all practical purposes, ceased to operate by reason of the exhaustion of funds, it is impossible to say that the tenant is wronged by making purchasers under this Act pay for 60 years instead of 49 years. I should like to draw the attention of the Committee for a moment to the enormous boon which is given by the use of British credit. Let me put it into figures, so that hon. Members may have clearly before them the nature of the gift they are making, apparently to the tenant, and assuredly to the landlord. I consider it is a fair way to estimate the pecuniary value of British credit if we take first the rate of interest at which landlord and tenant could themselves borrow in order to carry out this operation. I assert it is very moderate indeed to say that they could not borrow at less than 5 per cent. Therefore if we take a loan of £30,000,000 at 5 per cent. for 49 years and contrast it with a loan raised at 2¾ per cent., we see at once the difference due to the use of British credit. It is enormous; it represents a saving of £213,000,000 sterling on a transaction of £30,000,000. I admit that these figures represent a gross transaction, whereas this may be said to be a net transaction, because the whole of the money is not outstanding for 49 years. I accept the position that the instalments are payable back every year. Even then this use of British credit represents a direct and actual pecuniary saving to these persons on a £30,000,000 transaction of £67,000,000 sterling. That is the boon you are conferring on them, and to how many persons will this sum of £67,000,000 go. Calculated on the same ratio as that on which £10,000,000 was distributed under the Ashbourne Acts, you will find that the whole of this £67,000,000 will in 49 years have gone into the hands of only about 70,000 tenants. I say it is not fair that this enormous boon should be conferred on so small a number of tenants, and I think it would have been wiser when we were dealing with Irish land in this Bill to have secured the fee simple of the land for the State. But as we cannot do that I am proposing a very small irreducible minimum of advantage which might be obtained for the community. I hope my Irish friends will support this. I know they do not like to minimise the burden on the British taxpayer, but I ask them to support it because it is not an attempt on my part to take away from Ireland any part of the boon of which I am speaking; it is simply an endeavour to distribute the boon more fairly than it will be under this Bill as it stands, for the 70,000 persons I have referred to only represent

1 in 66 of the Irish population. Lastly, I do not propose that the additional payments shall be devoted to British purposes. I ask that they shall be applied to the relief of Imperial and local taxation in Ireland. I think, Mr. Courtney, you—a great authority on economic questions—have expressed yourself in favour of the principle for which I am contending, for I find that in one of your speeches you declared for the solidity of the principle, and, after describing how it would act, added, that the locality in which the purchased estate was situated would receive a lay revenue after the debt had been paid off. Again, this principle was adopted by the Committee of this House which sat on the question of small holdings. The Chairman of that Committee was the right hon. Gentleman the Member for West Birmingham, and in the Report I find it stated that as the Local Authority would borrow from the State at less than 4 per cent., it would have a margin after paying the interest to the Loan Commissioners which would constitute a Sinking Fund, so that in about 50 years the loan would be repaid, and the community, represented by the Local Authority, would then have an income from the land due to the use of its superior credit, in the shape of a perpetual quit-rent free of all charges and expenses. Now on this Small Holdings Committee there were nine supporters of the Government and six Members of the Opposition, and, therefore, I think that that doctrine having been laid down so recently by such a high authority, I may consider this Amendment of mine to be somewhat of the nature of a Government Amendment. I ask the Government to accept it, inasmuch as it gives to the tenants much easier terms than the Select Committee itself recommended with regard to small holdings in this country.

Amendment proposed,

In page 1, line 11, after "advance," insert, "With respect to advances to be made under this Act, or to be made under the Land Purchase Acts, the provisions of Section 4 of 'The Purchase of Land (Ireland) Act, 1885,' shall be amended as follows: There shall be paid to the Treasury, for 60 years, in respect of every holding purchased by means of an advance made under this Act, an annuity of £4 for every £100 of such advance, and so in proportion for every less sum, the residue of which, after payment of the principal and interest of the advance, shall be applied in relief of Imperial and local taxation in Ireland."—(*Mr. Keay.*)

Question proposed, "That those words be there inserted."

(6.20.) MR. A. J. BALFOUR: The hon. Gentleman is quite mistaken if he supposes that it is my desire or intention to dispute his figures. I understand his view to be that by lending the Irish farmers £30,000,000 I give them £67,000,000 without depriving the taxpayers of that sum. If there is any accuracy in those figures, the Bill is a very much better one than even I myself had supposed, and I should be very sorry to take away that boon.

MR. KEAY: I say the Government are giving that boon to the landlords, whereas it ought to go to the people generally. The Government profess that they are giving it to the tenants.

MR. A. J. BALFOUR: But there is one argument which is conclusive against the hon. Gentleman's proposal. Unless the Irish tenant is very different from all other men, he will very strongly object, after the debt has been paid off, to continue to pay 4 per cent. on the original amount for another 11 years. I assume, from what he said, the hon. Member will have the support of the Irish Members.

*MR. KNOX: That statement was made without any authority from us.

MR. KEAY: I said I hoped to have their support.

MR. A. J. BALFOUR: "Hope springs eternal in the human breast." The hon. Member is very sanguine if he thinks that those who represent the Irish farmers will support such a proposal as this. The Amendment is not one which the Government can ask the Committee to accept.

(6.23.) MR. J. MORLEY (Newcastle-upon-Tyne): There is considerable force in the objection of the right hon. Gentleman. But I must say that the Amendment points to what in my judgment is one of the most serious blots in this Bill. I have never been among those who have repudiated all resort to British credit, but since 1886 I have always made it a condition that some advantage should accrue to the community at large in Ireland, and should not be exclusively reserved for the privileged class of tenants and purchasers.

I am sorry that the right hon. Gentleman has thrown away the opportunity of asserting this very wise principle in regard to the employment of British credit, and has also neglected the opportunity of reconciling to some extent the community in Ireland to the risk and liability which the Bill imposes upon the ratepayers in Ireland, and which constitute one of the gravest objections to the Bill. The right hon. Gentleman claims that he confers a great boon on Ireland, but that is a mistaken description. Undoubtedly the right hon. Gentleman confers a great boon on a certain class of tenants. To the ordinary Irish citizen he gives no boon, but merely imposes a serious liability. The right hon. Gentleman argues that the risk is limited to the contingent portion of the Guarantee Fund. I think we shall find as we get further on in discussing the Bill that that is not the limit. Granting, for the sake of argument, the policy of the Bill, it would have been just to accompany the risk and liability with arrangements that would have conferred an advantage on the whole community of Ireland. This plan would not only have been just, but it would also have been in an enormous degree politic, because if any movement for repudiation should arise, the Local Authorities, to whom an interest had been given, would stand as a bulwark and barrier against the spread of such a movement. It was a fatal flaw in the Bill that the opportunity has been lost of enlisting in favour of the maintenance of the bargains made by the purchasers with the State the interests of the bulk of the people of Ireland. That is not a peculiar view of the matter. The right hon. Gentleman the Member for West Birmingham has strongly insisted on the necessity, as well as the expediency, of this. It may, indeed, be said that the general community is interested, because the ratepayers will be out of pocket if the annuities are not paid. But that is just the sort of interest which people would be likely to resent, because it is an unjust penalty imposed upon them for the default of persons in whose transactions they have no interest of their own. I think the Government lost a valuable opportunity of strengthening their own policy and of asserting the wholesome principle that British credit is never to be used for these or other operations unless the advantage to be derived from its use is to be distributed over the whole body of those who incur the risk. Although I cannot support the Amendment I am not sorry that the question has been raised, and the protest entered. The Bill of 1886 did not carry the principle I am advocating, as far as I should now like it to be carried, but it did put the principle into effect for a period of 49 years. I think now that a riper consideration would induce me, if any proposal of that kind were made either in relation to Ireland or any other part of the United Kingdom, to resist any resort to State credit unless accompanied by some benefit to the portion of the community which bore the risk.

(6.31.) MR. A. J. BALFOUR: I think probably the Committee will agree with the right hon. Gentleman that it would be desirable to associate the Local Authorities in Ireland specifically with the advantages of this Bill. It must be noticed that to the not insignificant or contemptible extent of 5s. per cent. that has been done. If more were done in that direction, it must be at the expense of the tenant, to whom the advantage given is not so extraordinarily favourable that it can be greatly diminished. The right hon. Gentleman seems to be running together the different and not quite consistent principles that the Local Authorities should share in the benefits conferred by the Bill, and that British credit should not be given without some benefit to those who take the risk—that is, the British taxpayers in general.

MR. J. MORLEY: My position was that under our Bill of 1886 it was an Irish authority that would have got the whole of the benefit of the increase in the security.

MR. A. J. BALFOUR: Yes; I see the advantage of associating the Local Authority with the action of the tenants in giving security, but I do not see the equity of giving more to Ireland, as a whole, than the Bill now gives. If you are to travel outside the principles we have laid down in the Bill you should give the benefit to the British people at large. I cannot for one moment admit that the benefits of that Bill are confined to the Irish occupiers who purchase under it. It is because I believe the Bill is a benefit to Ireland as a whole, and applies an effective and efficient remedy to some of the most grievous evils under which Ireland has groaned for years past, that I defend the use of British credit at all. I do not think the criticisms the right hon. Gentleman has passed on the Bill are well deserved.

(6.35.) MR. J. MORLEY: I do not wish to prolong this part of the discussion, but I think the right hon. Gentleman is misusing words when he says he would not be a party to the Bill unless he thought it would confer a benefit on Ireland as a whole. The Bill will confer all the pecuniary benefits on a casual privileged class. The right hon. Gentleman says this is a matter of Imperial concern. If it is, why is there not Imperial risk? If it is a matter of Imperial concern, the whole risk of the operation ought not to fall on localities in Ireland, but upon the Kingdom as a whole.

(6.37.) MR. D. CRAWFORD (Lanarkshire, N.E.): I think this Amendment has raised one of the most important points in the Bill, although I agree with my right hon. Friend (Mr. J. Morley) that it has not, perhaps, done so in the most appropriate form. The right hon. Gentleman the Chief Secretary has said that if this money is to be given for the more general purposes of Ireland it must be taken from somebody who would otherwise be benefited, that that somebody would be the tenant, and that the tenant would not be prepared to part with any advantage he gets under the Bill. That may be true, but we Representatives of the taxpayers of Great Britain are not bound to throw ourselves exclusively into the point of view of the tenants, and I think perhaps we are able to take a more impartial view of it even than the right hon. Gentleman himself, because he may have reasons for conciliating the tenant and striking a bargain unduly favourable to the tenant. The right hon. Gentleman said the other day that there were many cases in which the annual payment from the tenant would be reduced 40 to 60 per cent., and he would be transformed at the same time from a tenant into a proprietor. These cases might be cases in which a fair rent had recently been judicially fixed. Probably my hon. Friends below the Gangway will not agree with me on this point, but I say that there can be no legitimate motive for making a present to the tenant of from 40 to 60 per cent. of his rent if that rent has recently been fixed by a judicial tribunal. If the county can afford to give these terms, the benefit ought not to be given as a present to the tenant, but ought to be given to the Local Authority in the district for public purposes, and I hope this point, if it is not properly raised now, will be raised on some future occasion during the passage of the Bill through the House.

*(6.40.) MR. KNOX: I agree, to a large extent, with what has fallen from the right hon. Gentleman the Member for Newcastle—that is to say, I agree there is a great deal to be said in favour of giving some greater advantage than the Government propose to give to the Irish Local Authorities as a result of these transactions. The Local Authorities, and especially those classes in the different counties who are not directly connected with the land, will run very great risk in order to make a certain number of the tenants of Ireland peasant proprietors, and, therefore, I think it is only fair that ultimately some profit should come to those classes for the involuntary sacrifice they are now making on behalf of the tenants of Ireland. But I cannot support the Amendment of the hon. Member for Elgin and Nairn. The hon. Gentleman proposes that the tenants shall get no relief whatever immediately after the expiration of the 49 years, but shall go on for a short time paying the same as they have hitherto paid by way of the repayment, both of principal and interest. I venture to think that if anything ought to be put on the holding after the expiration of the 49 years, it ought to be put on permanently. The tenants will, after the 49 years, get a permanent advantage. If their position, as compared with that of other tenants, is so favoured whatever is put on ought to be put on for ever. Then I object to the proposal of the hon. Member for Elgin and Nairn, because it will have a most injurious effect upon the working of local government in Ireland. The proposal is that a casual addition should from time to time be made to the income of each Local Authority. Land purchase cannot go on equally over the whole country. The large estates

may be dealt with in one year in one county. When the 49 years come round a very large additional income will fall to the Local Authority for 10 years. [An hon. Member: In relief of Imperial taxation.] If the proposal is that it shall not go to the Local Authority, who have borne all the risk, my objection to the proposal is very considerably increased. But if, as I assume, a large additional income will fall to the Local Authority for 10 years, there will be as bad a system of local finance as it is possible to imagine. The consequence will be we shall have grants in the nature of grants in aid which will vary very largely from year to year. The proposal will not commend itself to Irish Members on the ground that it gives relief from Imperial taxation 50 years hence. I and my hon. Friends hope that at all events in its present form the Imperial taxation levied on Ireland 50 years hence may be of such a nature that it is not worth while considering now. Speaking generally, I say that I object to the proposal, because by it the Imperial Parliament is asked to determine a question which ought to be left for an Irish Parliament 50 years hence when the question will actually arise. Fifty years hence this specially favoured class will begin to exist, and then it will be time enough for whatever Parliament is charged with the duty to deal with the matter. I trust it will be an Irish Parliament, and I confess I heard with some astonishment the statement of the hon. Member for Lanarkshire (Mr. Donald Crawford) that he, as a Scotch Liberal and not specially connected with the Irish tenants, is better able to judge impartially of this matter than an Irish Authority will be. What is the effect of the hon. Member's proposal? It is, as the Chief Secretary put it, that we take from one class of Irishmen in order to give to another. I conceive the Authority which is to determine whether we should take from one class of Irishmen and give to another should be an Irish Authority, and it will be time enough for an Irish Authority to deal with the subject in the 20th century.

*(6.48.) Mr. SHAW LEFEVRE (Bradford, Central): Although I cannot agree with the hon. Member for Elgin and Nairn in the exaggerated figures he has given of the measure of the benefit which will accrue to the tenants of Ireland, I agree that the benefit will be very great. There cannot be a doubt that if Irish credit alone had been employed, the transactions could not be carried out at less than 5 per cent., or, including provision for the Sinking Fund, 6 per cent. as compared with 4 per cent. as at present. I am with my hon. Friend in saying that some of this enormous benefit ought to go to the general taxpayers or ratepayers of Ireland. I cannot agree with the Chief Secretary for Ireland that the whole of this benefit will accrue to the tenants of Ireland. On the contrary; a considerable portion of it will accrue to the landlords. The tenants will get the benefit of paying considerably less than their former rent, and they will be enabled thereby to give a greater number of years' purchase than they otherwise would be. The landlords get the benefit of this, and if I were to hazard an opinion I would say that the landlords get three or four years additional purchase than they would if the transactions had been carried out at a higher rate of interest. I believe the Government would have done wisely if they had associated with the Bill the proposal to give a larger benefit to the ratepayers of Ireland generally. If the example of the Bill of 1886 had been followed, a very considerable boon would have been given to the general ratepayers of Ireland, and a great deal done to enlist their influence in the direction of the ultimate repayment of the enormous advances contemplated by this Bill.

(6.52.) Mr. E. ROBERTSON (Dundee): It must be obvious to the Committee that the discussion in which we have been engaged is too large for the Amendment under which it has arisen. The Amendment strikes at the main principle of the Bill. The principle is that by the aid of British credit, the land of Ireland shall be handed over absolutely for nothing to the tenants who are now the occupiers. So far as principle is concerned, I am entirely with my hon. Friend. Indeed, I go further than he does. I was glad to hear the right hon. Gentleman the Member for Newcastle admit that part, at least, of the benefit of these transactions ought to be secured for the public. I do not know it matters much whether it is the Local Authority or the people of Ireland or Great Britain; but the public interest of some sort should be reserved as part of the price at which we engage in these transactions. I enter my strenuous protest against the principle of handing over the money of Great Britain to one class of the people of Ireland. It seems to me that everything that was said by the Chief Secretary on this subject was marked by fallacy of the most elementary kind. The right hon. Gentleman spoke of the tenant paying off his loan. Paying off his loan, forsooth! The right hon. Gentleman said—"How will the tenant be satisfied if, after he has paid off his loan, you tax him for 20 years more." How does he repay it? He does it in the most Hibernian fashion—by paying 20 per cent. less than he did before. Then, again, the Chief Secretary says, "If you are going to secure this benefit for the public it can only be at somebody's expense: it can only be by taking it away from the tenant." I assert that that is not so. I cannot admit that the hon. Member for Elgin and Nairn has chosen the best mode or time for submitting this question to the House. I do not know what his Amendment means. He says the provisions of Section 4 of the Purchase of Land (Ireland) Act should be amended, and then he provides how it should be amended. Does my hon. Friend mean that his provisions should be substituted for the whole of Section 4 or for a portion of it, and, if so, what portion? It seems to me that the Amendment is not in a shape in which it can be conveniently discussed, and having secured his purpose by obtaining this discussion I suggest he should withdraw the Amendment, in the hope that the point may be raised at a more convenient opportunity.

(6.59.) MR. CHANCE: I think there is some misapprehension as to the precise scope and effect of this Amendment. This Bill, unlike the Ashbourne Act, does not enable the tenant to make terms with his landlord. The tendency of the Insurance Clause will be that only the tenant who sees some very considerable saving in the reduction of 20 per cent., will buy under the Bill. The clause will lead to the sale of the better lands, and leave on the hands of a future Irish Government the duty of dealing with the poorer lands in the congested districts. It must be recollected that under this Act the cream of the tenants get the advantage, and the poorest tenants get none. Under those circumstances, I think it would be only prudent that the richer and better class of tenants should in some way be made responsible to provide funds for the Local Authorities, and thus enable those authorities to deal with the congested districts and the poorer tenants. The Chief Secretary says if you diminish the benefit to the tenants you stop land purchase altogether. Never was there a greater fallacy. If the benefit to the tenant is diminished, that will not affect land purchase, but simply the price which the landlord puts into his pocket. It is absolutely incontrovertible that if the tenant, instead of paying 4 per cent. by way of annuity, was only called upon to pay 2 per cent., the tenant would not be one sixpence the better. The sole effect would be that, instead of paying 14 or 15 years' purchase, he would pay double that. Anyone who knows anything about the work of the Land Commission knows this: that in a large number of cases the Commissioners refuse to advance the sum for which the tenant has bargained with the landlord, and no wonder, because the landlord has the benefit of the advice of his solicitor, the assistance of the Sheriff, and all the advantages of his position, while the poor tenant has nobody to assist him. The tenants are not even allowed to combine, and it is apparently a criminal offence to give a tenant advice as to land purchase, and the price is fixed by reference to one consideration only, namely, what can the tenant pay. If it is a shade less than his present rent, and the Government will lend it, that he will pay, no matter what it represents in capital value. It must be recollected that it is the landlord who gets the benefit of the total cessation of payments at the end of 49 years. If the tenant, instead of paying £20, pays £15, he does not care whether it represents a capital sum of £500 or £5,000; it is £5 a year less to him, and all the ultimate benefit goes to the landlord. This point will arise on a subsequent Amendment, but meantime I ask the Committee to recollect that in this matter the tenant is merely the catspaw to rescue this chestnut for the landlord, and that it does not matter a sixpence to the tenant whether he pays 2 per cent. or 20 per cent.; that the price he pays for the land is measured simply by the annuity the Government thinks he can pay, and has no connection whatever with the capital money advanced. Therefore, I trust that in these discussions we shall not have much said about the advantage to the tenant. There is absolutely no benefit to him except a certain reduction he gets if the landlord can induce him to unlock the Treasury for the advantage of the landlord.

(7.5.) Mr. R. T. REID (Dumfries, &c.): A technical objection, among others, is taken to my hon. Friend's Amendment, but the Bill is so framed by reference to a variety of Acts that it puzzles the most astute lawyer to construe many of its provisions, and to pronounce an opinion upon the form of an Amendment without very careful examination. The hon. Member for Cavan seemed to assume that it was almost an impertinence for my hon. Friend the Member for Lanark to put in an oar on this subject at all in reference to the dispersion of the funds among classes in Ireland, and that it is only a question to be regulated according to the wishes of Irish Members. For my part, I should be content to leave the whole solution to Ireland; but if we are to be concerned in giving these benefits, I think we ought to extend them to those who are in most need in Ireland. The Amendment, however, brings out a most important flaw in the Bill, and that is, that it is simply for the benefit of one or two classes—a selected number of landlords and a selected number of tenants. For these is the powerful instrument of British credit to be used. The purport of the Amendment of my hon. Friend is this: that inasmuch as an advantage is gained by tenants, and a greater, I agree, by the landlords, but by no others than these, that after they have enjoyed this for 49 years some equivalent should be gained by the Irish public at large. Now, the right hon. Gentleman the Member for Newcastle has laid down in his too short speech one of the most important propositions I think we have heard from him or from anyone for a considerable time, for he announced, as I understood, that upon any future advance of British money or credit for land purchase or cognate purposes, he would require the condition of a perpetual reservation of some rental or sum of money to be payable to the State or Municipality—that is to say, municipalisation of the land as laid down by its most recent expositors. I agree with that view of the right hon. Gentleman, but I desire to point out that the hon. Gentleman who moved this Amendment originally had on the Paper an Amendment exactly carrying out that proposal; but, unfortunately, it was discovered that it was out of Order and inconsistent with the scope of the Bill, and thus it is that this Amendment in a more moderate form is proposed for the consideration of the Committee, and the hon. Member is obliged to restrict his Amendment to a term of 11 years. I do not know whether it could be arranged that a quit rent in perpetuity should be paid in lieu of a period of 49 years. As has been pointed out, the proposals in the Bill are for the benefit of a restricted class, and for the benefit of a certain portion of a restricted class. British credit is being invoked for a special section of a class. The Bill as it stands forms a most important precedent for advanced politicians, and a most dangerous precedent from the point of view of hon. Gentlemen opposite, because it is quite certain that if the thin end of the wedge is introduced of using British credit not for the relief of distress, but for the benefit of a particular section of a particular industry, the principle will be extended. In that sense, I think the Amendment of my hon. Friend is an eminently Conservative Amendment.

(7.10.) Colonel NOLAN (Galway N.): I am astonished at the approval the Amendment has met with, and at the strange suggestion of the hon. and learned Member for Dumfries. What is the proposal of the hon. Member for Elgin in its naked simplicity? That for 11 years beyond the term this Bill provides the tenant shall continue to pay 4 per cent., or 44 per cent. on the purchase money. [*Cries of* "No, no!"] Four per cent. for 11 years—four times 11 equals 44. Taking the actual value at the present time, it is less than they will pay at the end of the term, but, practically speaking, it is a simple matter of arithmetic. The tenant may make a better or a worse bargain, but it is an outrageous proposal that the unfortunate tenant should continue to pay for at least 11 years after the term in the Bill. Then the hon. and learned Member for Dumfries threw out a suggestion for a perpetual quit rent. But we have been told ever since the time that the right hon. Gentleman (Mr. Shaw Lefevre) initiated this subject that the object should be to turn tenants into proprietors. But this Amendment amounts to a total abandonment of this principle. A quit rent might be an advantage, and something might be said in its favour if you reduced the tenant's payment to 3 per cent.; but the proposal of the hon. Member for Elgin gives no possible advantage to the tenant of any kind or description, but simply taxes him for 11 years more for the benefit of every section of the community. It would be a great mistake to introduce anything of the kind. If you want to benefit other sections of the community do so by another Bill; this Bill is for the benefit of tenants. There are, for instance, labourers who are well entitled to such assistance; but to tax small tenants to the extent of from £5 to £15 for any other sections of the community is an absurdity. If such a proposal were included in a Bill introduced by the right hon. Gentleman the Member for Mid Lothian it would be considered Tory and reactionary. But I am afraid there are some Members who, instead of trying to make this the best possible Bill, are trying to make it the best possible Bill for Party purposes. Now, I want to make it the best possible Bill for Ireland. There are some hon. Members, I am afraid, trying to run between the two. But I would urge every Irish Member to cast other views aside and simply vote on this Bill, as the Bill may be better for the Irish tenants.

*(7.15.) MR. T. W. RUSSELL (Tyrone, S.): It seems to be conceded upon all hands that the question of public benefit cannot be discussed under the proceedings now going on. I have not heard one single Member say that he is prepared to vote for the hon. Member for Elgin's Amendment. It cannot now be fairly discussed, and why, then, should we waste these precious hours upon it? Why should

we be discussing an Amendment which refers to what may or may not be done 49 years hence? I think it is folly; for nobody now cares what may be done 49 years hence by those who succeed us. [An hon. MEMBER: 49 years in the Bill.] Yes, but the hon. Member proposes that after 49 years a sum should be continued to be paid to the Treasury in respect of holdings of a certain amount, and I say it does not matter what we now decide to do; those who come after us, 49 years hence, will decide the question for themselves. Then, I ask, why should the Local Authority get this advantage? I entirely concur with the hon. Member for Galway (Colonel Nolan) in what he says. I agree with the hon. and gallant Gentleman, and I should like to point this out, that there is one great Liberal principle in danger of perishing to-night —that Liberal principle of which we have heard so much—the government of Ireland according to Irish ideas. That Liberal principle has been in the past very loudly asserted from those Benches. There is, I say, a great danger of its perishing to-night. Irish Members represent the Irish local authority as well as the Irish farmers, and this is an Irish as well as an English question; this is Irish as well as English money. If it be English money, why should the Local Authority be benefited? The Irish Local Authority does not run the risk; but the Imperial taxpayer does, and if you are going to give the benefit on account of this risk, then the Imperial taxpayer should have it. But if this question is to be raised at all, I submit that it cannot be raised upon this Amendment; so let us, then, proceed to the next Amendment, which is of greater importance.

MR. A. J. BALFOUR: I hope that the Committee will now allow this discussion to drop. It is admitted that the Amendment finds no supporters, and in no shape can this Amendment bear fruit in relation to the very interesting question raised by the speech of the right hon. Gentleman the Member for Newcastle. I hope, then, we may now proceed to another Amendment.

(7.18.) MR. J. E. ELLIS (Nottingham, Rushcliffe): The hon. Member on my right has asked two questions: Why, he said, should we be discussing what shall be done at the end of 49 years, and for answer to that question he should ask the Government why we have this term in the Bill. Now, the point raised by the right hon. Gentleman the Member for Newcastle, upon which the attention of the Committee has been occupied for some time, is one of great interest and importance. The hon. Member reminds us of the Liberal principle, that Ireland should be governed according to Irish ideas; but the Government have brought in this Bill with an Imperial guarantee, and those who might be prepared to consider this as an Irish Bill must, so long as the English taxpayer is called upon to back it, take an interest in the Bill from beginning to end. With all deference to my hon. Friends the Members for Lanark and Dundee, I think in their forcible remarks they forgot one thing, which furnishes an answer to the question propounded—Who gets the benefit under this Bill? They forget the circumstances of Ireland at this moment, and what the Government have been doing for the past five years. The question before us is a similar one to that we have often had to consider in relation to the incidence of local taxation, and on whom does the incidence of local taxation fall? Where the supply is greater than the demand by the tenants the landlord has to pay the local rates, and where the demand is greater than the supply for houses then the tenant has to bear the taxation. So it is in Ireland. We know there is a land hunger, and that the tenant is in that position forcibly represented by the hon. Member for South Kilkenny, that he cares nothing for the amount his payment bears to the capital sum provided; it opens to him a way for preserving possession of the holding, the value of which he has himself created. Now, the Government have during the last five years to the utmost of their power suppressed the right of combination among the tenants; they have placed the Forces of the Crown at the disposal of the landlords, and they have destroyed freedom of contract so far as land purchase is concerned. Therefore, undoubtedly, the benefit of the Imperial guarantee, that is, the benefit of raising money for purchase at a low rate of interest, is appropriated in Ireland by the landlords. I think, too, we have had an indication of this in the very frank speech of the hon. Member for South Hunts, that if the Government did not accept his Amendment the landlords would take another way of securing the fruits of it.

(7.23.) Mr. LABOUCHERE: The Chief Secretary did not consult us before inserting in his Bill the proposition for engaging the public credit for one particular class; and yet when, on consideration of this Bill, my hon. Friend the Member for Elgin and Nairn proposes a valuable Amendment, up rises the Chief Secretary, and says he does not quite approve of the Amendment, thinks it has been quite sufficiently discussed, and advises the Committee to proceed to something else. Now, with all respect to the right hon. Gentleman, we really cannot accept his views either as to the Amendment or the time we should take in discussing it. Upon this, as upon most Amendments, I daresay we shall occupy more time than he would mete out to us. On the first Amendment the right hon. Gentleman moved the Closure. Let him do that when he objects to the course we are taking, but do not let him waste his time in giving us advice which we are not in the least likely to accept. Without going into details, I may say that the effect of the Amendment is simply this: My hon. Friend thinks that certain persons do derive considerable advantage from the use of the Imperial credit, and that this advantage should in some sort of way be distributed so that all may have a share in it. My hon. Member has a specific plan with which I cannot say I entirely agree, though I shall support him if he carries his Amendment to a Division, because I should regard this as a sort of Second Reading decision, the acceptance of a general principle which we may afterwards modify in various ways. The advantage of the Imperial credit is as $6\frac{1}{2}$ to 4; that is to say, that $2\frac{1}{2}$ per cent. is gained by the use of Imperial credit. Of this a large portion of the benefit goes to the landlords, but unquestionably the tenants will derive large advantages. And why should all the gain be with these? My hon. Friend, in effect, says by his Amendment, leave it to those who succeed us 49 years hence to say whether the advantage shall be shared by the locality or by the Kingdom generally. Some such Amendment is necessary for the purpose, else the tenants will be left absolute freeholders, and therefore cannot be called upon to pay in any way for the benefit conferred upon them.

(7.29.) MR. KEAY: I would like to make a few remarks in regard to the observations that have fallen from various hon. Gentlemen. The hon. and gallant Member for Galway (Colonel Nolan) says that 44 per cent. more would be charged if this Amendment were passed. I do not think the hon. and gallant Gentleman's arithmetic is in order. The increase is one of 20 per cent., and not of 4 per cent. The Amendment is so framed as, roughly speaking, to provide for a 20 per cent. increase of the aggregate instalments. The hon. and learned Member for Dundee (Mr. E. Robertson) said my Amendment struck at the root of the principle of absolute ownership of land which is offered by this Bill. I quite admit that; and I am very sorry to say that the Rules of this House made it impossible for me to go further than I did. My hon. and learned Friend beside me said he did not know the meaning of the wording of my Amendment. All I can say is, that it is strictly modelled on the clause of the Ashbourne Act. The hon. Member for Cavan (Mr. Knox) objected to the form of my Amendment, but did so principally on the same score as others have done, namely, that it was impossible to insert in this Bill, as a matter of Order, an Amendment which would carry out the views we have at heart. The right hon. Gentleman the Chief Secretary adopted his usual cynical vein in dealing with us mere private Members on this side of the House, and seemed rather to pride himself on the fact of how little he had got up the subject. I understood that the right hon. Gentleman was in charge of the Bill, and, therefore, was the proper referee on any point raised in the measure. He said practically that he had never read the Amendment at all, because he said I was proposing to impose not 11 but 20 years' annuity on the poor tenants, and he playfully alluded to the main argument I put forward, that the actual amount of hard cash which constitutes the boon of British credit given to those to enter into these transactions, amounts to £67,000,000. Well, I say with all humility, that if I were in the right hon. Gentleman's place in charge of this Bill, I should not come forward until I had carefully calculated for myself the magnitude of the pecuniary boon offered. I assert, in face of the right hon. Gentleman's ignorance, that the boon is proved to amount to nothing more or less than a gift of £67,000,000 as compared with the amount which the tenants and landlords could otherwise perform the transactions with. There are interest tables in the library, and I should strongly, if I might humbly venture to do so, advise the right hon. Gentleman to realise whether it is a fact or not, that this is the pecuniary boon.

SIR J. M'KENNA (Monaghan, S.): It is not the fact.

MR. KEAY: I shall be delighted at any time to argue the question with the hon. Member. The Chief Secretary said he was convinced that the tenant would not elect to pay the increased 11 years' instalment. I am glad to find the right hon. Gentleman taking up so openly the wishes of the tenants, as this is the most egregious flaw in the Bill, if he has the wishes of the tenants at heart. That, however, is not an argument against my Amendment. It is quite irrelevant to consider whether the Irish tenant wants a boon to the amount of £67,000,000 or £100,000,000. The question is this—is it a boon or is it not? If it is, the givers have a right to regulate its incidence in what they believe a just and proper manner. Before I sit down I would remind the right hon. Gentleman of what he said in bringing in the Bill last year. He told us to what extent the Irish tenant would be benefited by this British boon. He said—

> "If you have a tenant who now pays £170, reduced to £100 by the landlords arrangement in the matter of taxes, he will be able to have his holding for £68 instead of £100."

That is the extent of the pecuniary boon to be given to these tenants individually; and I say, that according to the argument of the right hon. Gentleman himself, the tenant was to live and thrive and be very happy when he got his rent of £100 reduced to £68. The right hon. Gentleman's Bill provides that that arrangement shall take place in 49 years. Why should the tenant be able to comfortably live and thrive on paying £68 per annum for 49 years only? Why should he not pay it for 11 years longer? To that question the right hon. Gentleman has furnished no reply whatever, and, therefore, I say he has opposed absolutely no argument to the Amendment now on the Paper. However, as the Amendment is so ill worded, so far as the carrying out of my own wishes is concerned, and as it was only put down for the purpose of raising a discussion, and of doing good not only in the Committee but in the country with regard to the great question decided by the Report of the Select Committee on Small Holdings, and as that object has been effected, I beg leave to withdraw the proposal.

(7.43.) COLONEL NOLAN: I object to the Amendment being withdrawn. It is one of those absurd and silly Amendments that ought to be put down. I think that when such an Amendment as this is brought forward, the hon. Member proposing it should stick to it.

SIR J. M'KENNA: I also object to the withdrawal of the Amendment, seeing that the greatest possible cruelty is shown to those interested in Ireland in raising and discussing such Amendments.

(7.45.) DR. CLARK (Caithness): I hope the Committee will allow the Amendment to be withdrawn, because there is an alternative to the plan proposed, and that is reducing the rents still further, and making them perpetual. The question might be determined on principle in that way so as to save the necessity of moving Amendments to the Ashbourne Act. If we are forced to go to a Division we shall have to consider whether the Government are not proposing to create a new class of landlords altogether—whether they are not seeking to get rid of one injustice by establishing another. Then I should have to support the Amendment. I think we should have the Amendment raised on other grounds. I trust that under the circumstances the hon. Member will be allowed to withdraw the Amendment.

(7.47.) MR. M. J. KENNY (Tyrone, Mid): As the Amendment is not for the purpose of amending the Bill, but is brought forward for the purpose of ventilating a question of abstract politics, I think it should not be withdrawn. It is distinctly hostile to the interests of Irish tenants, and therefore it ought to be either adopted or definitely rejected. Speaking as a Representative of the Irish tenants, I ask the House to definitely reject the Amendment. I pay no attention to the motives suggested to us by some hon. Members, including the hon. Member for South Monaghan, who spoke here not so much as a Representative of the Irish tenants as a Representative of other interests.

SIR J. M'KENNA: I did nothing of the kind.

MR. M. J. KENNY: The hon. Member speaks for that portion of Irish landed property which at the present time is under the jurisdiction of Mr. Justice Munro. But I need not in any way lengthen this discussion. I will only characterise the Amendment as a mischievous one, which the Committee should not allow to be withdrawn.

THE CHAIRMAN: Is it your desire that the Amendment be withdrawn?

COLONEL NOLAN and several hon. MEMBERS: No.

Question put, and negatived.

*(7.50.) MR. P. STANHOPE (Wednesbury): I beg to move an Amendment providing that—

> "A Report setting forth the amount and ful particulars of every such advance provisionally assented to by the Land Commission under this Act, shall be presented to Parliament by the said Commission, and such Report shall lie upon the Table of the House for 30 days before the said advance shall receive the final sanction of the Treasury."

In spite of our protests below the Gangway, the House has decided that the Imperial credit is to be made use of, and the question arises how this House, having regard to that fact, is to retain its full control over the financial arrangements instituted under the Bill? I would point out that, under the Act which has given rise to this Bill, no less than £9,000,000 have been expended, and though Reports have been laid on the Table of the House by the Land Commissioners or the Lord Lieutenant for Ireland containing a summary of the disposition of that amount and of the general working of the Land Acts in Ireland, most of us will agree that those Reports have been extremely meagre in detail, and give us little or no information whatever with respect to the particular estates that have been dealt with by the Commissioners. It is only indirectly and by questions put in this House that we are able to obtain information of the working of the Commission, and of the particular direction in which the public money is being expended. Now, it is in order to remedy that state of things that I have put this Amendment down on the Paper. The object is that the House should continue to discharge what after all is its primary duty, namely, to control, and efficiently superintend the expenditure of public money. As, unfortunately, an Amendment to a previous Bill—an Amendment moved by the right hon. Gentleman the Member for Wolverhampton, which would have brought the salaries of the Land Commissioners under the control of this House—was rejected, we must seek by some other means to effect our object. I therefore propose that the Commissioners, instead of making the rather meagre Reports they present to the Lord Lieutenant, should make more elaborate Reports, giving fuller details as to their action, which Reports should be laid on the Table of the House for 30 days, during which it should be competent for Members to offer criticisms and suggestions. The necessity for such Reports is shown by the disparity between the four provinces in respect of the purchases effected in them and the circumstances that call for such transactions. Ulster, which does not appear to be very much in need of a measure of this character, has received the largest benefit under the Ashbourne Act. In Ulster 9,379 applications have been dealt with by the Commissioners in the last five years, and £2,751,000 has been advanced; in Leinster 2,088 applications have been dealt with, and £1,794,578 advanced; in Connaught 1,725 applications, and £433,431 advanced; and in Munster 3,564 applications and £2,327,999 advanced. Consequently, Ulster has received by far the largest portion of the public money devoted to land purchase in Ireland. Proceeding on the same lines, I would point out that many of the estates that have been purchased are estates on which there was no urgent need for interference. There was no special necessity for the purchase of the properties of the Duke of Abercorn, the Duke of Leinster, the Marquess of Bath, the Marquess of Waterford, and the great London Companies. My own belief is, and I think it is shared by hon. Members around me, that nearly all these purchases could have been effected without the intervention of Imperial credit. Public money, if used at all, ought rather to have been used in less fortunate parts of Ireland, such as the Clanricarde, Olphert, and Ponsonby estates, which we all know have been deplorable centres of public disaffection and public disturbance. I do not say the Commissioners could have controlled these matters, because it is not for them to initiate transactions; but it would be a distinct public advantage if this House could criticise the arrangements that are made, and stimulate intervention where it seems to be most required. In some instances purchases have been made under coercion, and there have been numberless transactions and purchases forced on the tenants at prices higher than the circumstances of the cases warranted. The other day an account was given of three estates of the Duke of Leinster. On two of these estates the agents were unable to exercise pressure on the tenants to purchase. But in the case of one of these estates where there were arrears they distinctly desired to force the tenants into an arrangement, and I understand the number of years purchase, 22 years, I think, was glaringly in excess of what would have been the case had there been absolute freedom of contract. These are cases which it seems to me will properly come before this House on the occasion of the Reports being presented for sanction. I believe that on the whole a very large number of transactions, which at present escape criticism, would, in view of publicity, be modified or never brought about. I have no doubt the Chief Secretary will say that this proceeding would involve considerable delay. But already the Commissioners allow time to the parties to make investigation of the title of the vendor, with the result that the number of loans provisionally sanctioned, is far in excess of the number issued. Consequently, it does not seem to me that the effect of my proposal would be to delay the work of the Land Commission, and the delay of 30 days does not justify the criticism that it would cause confusion in the work of the Commissioners. But I come to the principal argument in favour of my Amendment. The State is going to become a great landowner in Ireland, and it does seem to me a fundamental principle of business that the State should have an account of the transactions effected in its name, and should be in a position to examine them before they become definitive. If by the decision of the majority of this House we are to give the Imperial guarantee to the amount of £30,000,000, and probably larger sums in the future, and if we are obliged to tell our constituents that we were unable to defeat the proposal, it appears to me that we ought to be in a position to tell them that we have, at all events, provided that the Representatives of the public shall have constant supervision of the expenditure of the money, so that some of the greater evils to which this Bill will lead may be mitigated, if not altogether avoided. It is a sound constitutional maxim that the public expenditure shall be always under public control, and, in order that such a principle may be incorporated in this Bill, I venture to move my Amendment.

Amendment proposed,

In page 1, line 11, after the word "advance," to insert the words "and a Report, setting forth the amount and full particulars of every such advance provisionally assented to by the Land Commission under this Act, shall be presented to Parliament by the said Commission, and such Report shall lie upon the Table of the House for 30 days before the said advance shall receive the final sanction of the Treasury."—(*Mr. Philip Stanhope.*)

Question proposed, "That those words be there inserted."

(8.8.) **Mr. A. J. BALFOUR**: The hon. Member appears to be under the impression that his Amendment carries out the ordinary conditions of Parliamentary procedure. But no doubt the hon. Member is aware that this is by no means the first Bill which has sanctioned loans in either Ireland, England, or Scotland, and in no single case has it been the practice to include a provision like this in dealing with those transactions. The transactions under this Bill will be in the nature of loans, and it is proposed to trust to the machinery which has already been instituted to see that the loans are properly made and carried out. A very large number of loans have been made under the Ashbourne Acts, 52,000 I think, and I ask what possible powers this House would have of making an investigation worth anything. The Land Commissioners make the loans on the spot, the holdings are examined, and opportunities are afforded of examining all the facts of the case. For instance, the House might be asked to disallow a loan of £20 to a tenant in the wilds of Connemara, but it would be quite unable to form an adequate judgment on the point. If the House is to be asked to take into consideration the propriety of the loans made by the Commissioners it would have nothing else to do but to discuss every night after 12 o'clock an enormous mass of small transactions. The Representatives of the tenants would raise cases in which they thought there lurked a grievance, and the same course might be followed by the Representatives of the landlord interest, and the selection of cases would be discussed, not in the interest of the Treasury, but from the point of view of rival political Parties. Of course, I agree that the House should know what is being done, and the Commissioners will be ordered to make full Reports of their transactions, and the House will thus have an opportunity of seeing what is done.

(8.13.) **Mr. J. MORLEY**: I am glad to hear that the Commissioners are to be asked to furnish fuller and more detailed accounts than has hitherto been the practice. More detailed Returns will not give the Land Commission much more trouble than at present, and a very slight additional expense will be entailed. If those Reports are laid before Parliament, say, once every fortnight, they will be found of great advantage, and Parliament will be placed in the position of keeping its eye on the general run of the transactions. The present Reports are meagre, and it is almost essential, if Parliament is to exercise any real supervision, to have Returns pretty constantly available of all the transactions.

Mr. J. E. ELLIS: I will not anticipate my Amendment on the Paper, but I am very glad to hear from the Chief Secretary admission of the fact that there ought to be further information.

MR. A. J. BALFOUR: I admit that this House is entitled to the information it desires, and to enforce that desire, but that is a different matter to putting accurately into a Statute what information is required. But that is a matter reserved perhaps.

(8.15.) MR. MAC NEILL (Donegal, S.): There is necessity for some Amendment on this point, though, perhaps, not precisely on the line of that of my hon. Friend, with a view of obviating such a transaction as that which occurred under the Ashbourne Act, where five landlords, among them the Duke of Abercorn and the Marquess of Waterford, had £1,000,000 divided between them. Perhaps the Government will consider the question, confining the Returns to purchases above £5,000. We are going to advance no less than £30,000,000, but if we are to enable every tenant who wishes to purchase, we will require not thirty, but ninety millions. These Commissioners, who are entrusted with the machinery, will have to exercise a considerable amount of selection among the tenants who apply for loans. Now, it may reasonably be suspected that this is simply an attempt to buy out landlords who are supporters of the Government, inducing the tenants to acquiesce by giving them 20 per cent. under their purchase money. If that be so, and having regard to the administration of the Ashbourne Act, the House should clearly have the opportunity of requiring that full publicity should be given to these transactions, by laying Reports upon the Table of this House for discussion. I think, therefore, that some such Amendment as this is necessary. Why do I support the Bill? Simply because I have regard to the fearful poverty which exists in Ireland, and feel bound to assist to the best of my power in alleviating the condition of the Irish tenant. If I can do so by getting his house rent reduced by 20 per cent. I must do my best to facilitate that object by supporting the Bill.

THE CHAIRMAN: Order, order! These remarks are outside the Amendment.

(8.20.) MR. CHANCE: I support this Amendment, and I am not at all surprised that the Chief Secretary objects to it. All through he has shown the strongest objection not only to the control of this House, but to publicity in this House. The control proposed by this Amendment would not be a very difficult one. It would be a sort of negative control, and so long as things were going on well the House would not interfere. The Returns would be in much the same position as Provisional Orders used to be. The reason why I support the Amendment is that the House might find it necessary at some stage or another to make a selection between two estates of two landlords. The amount which can be advanced in each county seems to be strictly limited. It might very well be that wealthy tenants of a landlord who had got on very well with them, and the poor tenants of a bad landlord were willing, the one to sell and the other to buy. Now, if the House had any means of selection, it is obvious that it would give money to the poorer class of tenants, and where the quieting influence of the Act was most needed. I can quite understand that the Government, in its anxiety to aid a section of disturbing landlords in Ireland, would bring pressure to bear on the Commissioners to induce them to make grants to tenants who would prove bogus tenants. The landlord would put the money in his pocket and the bogus tenants would disappear, probably to act as catspaws in other districts and on other estates. If such matters came before the House, I do not believe that any Party, I do not believe the bulk of the Conservative Party would tolerate the grant of money to landlords in perfectly bogus transactions, and simply for the purpose of carrying on a land war in Ireland. It is said that the Amendment, if adopted, would lead to a waste of the time of the House. I confess I do not think so. The public control, and the light of day, would have the effect of stopping these transactions. The Land Commissioners would know that they would be landed into trouble by them; whereas if the Amendment be not carried, money will be advanced on certain estates which I could name, and the money will afterwards have to be paid by the county because the bogus tenants will walk away as soon as they have been paid.

(8.27.) COLONEL NOLAN: I do not at all class this Amendment with that moved by the hon. Member for Northampton. I look upon it as in some respects reasonable, though injudicious. Thirty days is asked for, but I would point out that Parliament might not sit for six months, and it would be that period plus 30 days. The completion of a transaction might be delayed seven months, and the Amendment would lead to wrangles between the parties, and to a great many law suits. I cannot see how bargains can possibly be completed, if afterwards they are to be made the subject of political discussion in this House. I think the Bill would be better without the Amendment than with it.

(8.29.) MR. M. J. KENNY: The hon. Gentleman (Mr. Chance) has exemplified the course attributed to us, namely, that of sailing on an even keel. He is going to vote for this Amendment; but I do not think it will secure the object which the hon. Member has in view. There is nothing in it which would stop any sale of which the House disapproved. Still, I think, it would be an exceedingly useful thing that the House should know what the Land Commissioners are doing. We want to know why the Land Commissioners should not be responsible to this House. We are to have no means of calling their conduct into question, and that is a reason why I think the House should retain some control over the matters with which they will have to deal in Ireland. I understand that an Amendment, further down, practically meets the requirements of the case. I attach no importance to the surmise of the hon. and gallant Member for Galway that the Bill might be repealed at a future date. I do not think there is any danger of such a reversal of public policy, for the principle of land purchase has been adopted by both Parties in the State. While agreeing that the House should be fully informed of what is being done by the Land Commissioners, in the same way as was secured under the Land Act of 1881, I do not think that there is any real necessity for this Amendment. (8.32.)

(9.5.) MR. PHILIPPS (Lanark, Mid): The right hon. Gentleman the Chief Secretary told us that under Lord Ashbourne's Act there have been already something like 2,000 cases of sale and purchase, and that if this Amendment had been law the House might have debated every one of them. Even if one does not go as far in admiration of the House of Commons as the noble Lord the Member for Paddington (Lord R. Churchill) it is hardly to be supposed that the House is going to waste its time unnecessarily in discussing the Reports of Commissioners after 12 o'clock at night. Hon. Members who raise Debates after 12 o'clock always have great difficulty in keeping a House together, and I do not think it need be feared that such Debates will be of very frequent occurrence. The hon. and gallant Member for Galway (Colonel Nolan) seemed to think that bargains might be unduly delayed. I think that that would not be so, but that ordinary cases of bargain would be merely laid on the Table. We have heard a good deal in Irish Debates about sales concluded under Lord Ashbourne's Act by the exercise of undue pressure and intimidation on the part of the landlords, and about the Coercion Act being used for the purpose of forcing tenants to buy at an unduly high price. It is cases of this kind that would be influenced by this Amendment, if it were passed. The right hon. Gentleman the Chief Secretary seemed to think no one would benefit by the Amendment except advocates of the landlords and tenants, who would bring the interests of their respective clients before the House. I think the taxpayers would benefit also, and it is because I think this power would be a beneficial power to have, although I think it is one that would probably have to be exercised very seldom—perhaps only once a year—that I intend to support the Amendment.

*(9.9.) MR. P. STANHOPE: The right hon. Gentleman the Chief Secretary's principal objection to this proposal was that if the Return were made to the House the comment and criticism would be so abundant that a great portion of the time of the House would be wasted, and he went on to say that there was no precedent for a proposal of this kind, and that in every case where an advance was made by way

of loan out of the Treasury, that advance passed entirely out of the control of the House. I say that that is an unsound system, although it is unfortunately one recently largely adopted by the Government in connection with the Naval Defence Act and Barracks Act. The Government have in their Bill designedly kept outside the purview of Parliament a large sum which we think ought to come under annual criticism. As soon as this money has passed out of the control of Parliament it will be used just as the Land Commissioners please. I think we ought to keep the working of this Act constantly under our control, and I do not believe that the plan I suggest will give rise to inordinate criticism or Debate. When the Return was laid on the Table, gentlemen who were specially conversant with the cases dealt with might raise a Debate on it, in the same way as can now be done in the case of any Provisional Order. We have reason to think that the working of these Acts hitherto has been largely in the interest of the great territorial magnates, and very little in the interest of the small owners. On the grounds I have mentioned we intend to insist on the Amendment.

(9.13.) MR. ISAACSON (Tower Hamlets, Stepney): There is one point which requires clearing up. An hon. Member has stated that the Duke of Leinster will only treat with tenants who are in arrear in order that the arrears may be merged in the amount of money paid. I hope the hon. Member is mistaken; if not, I think there is good and just cause for an inquiry by a Committee of the House. It is undoubtedly the fact that the prices obtained for these properties are unusual, and could never be obtained if the properties were put up at public auction. At the same time it has been shown that such transactions as are contemplated by this Bill confer a vast amount of good upon Ireland. We are, however, guardians of the public purse, and I feel that every care should be taken that cases of the kind stated should not be permitted—indeed, if they do occur, the purchases ought to be rendered null and void. I trust the Attorney General for Ireland will be able to assure the Committee that such cases have no existence in fact. From what I know of the Commissioners I am persuaded they would not permit anything so unbusinesslike if they could prevent it.

(9.15.) MR. CHANCE: I may assure the hon. Member I have never known cases of land purchase in Ireland in which arrears of rents were not merged in the purchase money. So long as tenants are paying a solvent landlord at all punctually it is better for the landlord to go on than to sell, because in 99 cases out of 100 landlords, if they sell, find their income very considerably reduced, although they have increased security. But the usual process is this—Tenants fall into arrear; the landlord says, "This is bad business: I can not make the estate pay." He employs a man who sells estates on commission, and invariably the first inducement held out to the tenants is that if they sign an agreement, not only will their future rent be reduced, but they will also be freed from all arrears. So well aware are the Land Commissioners of this fact that lately they passed rules requiring certificates to be given by landlords showing that all arrears had been actually extinguished.

*(9.19.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): My hon. Friend the Member for Tower Hamlets seems to think that there is some danger that a sum in addition to the amount which may be safely advanced as purchase money may be added in the shape of arrears. There is no foundation for any such alarm. We are all agreed that the interests of the taxpayer should be safeguarded, but I ask whether that will not be more effectually done by a body like the Land Commission, whose duty it is to see that a holding is sufficient security for the advance, than by the House of Commons debating the matter after twelve o'clock at night without the necessary information. There has been no appreciable loss to the taxpayer as yet, and I contend that under the existing system there is complete protection.

MR. J. E. ELLIS: I am afraid that if the right hon. and learned Gentleman thinks he has disposed of the question of arrears he is rather sanguine. If the hon.

Member (Mr. Wootton Isaacson), whose speech we were glad to hear, will walk into the Library——

The CHAIRMAN: The question of arrears does not arise on the Amendment before the Committee.

Mr. J. E. ELLIS: I was merely adverting to the observations of the Attorney General for Ireland, and, perhaps, I may finish the sentence. If the hon. Gentleman will walk into the Library and refer to the Report on Irish Estates he will find a good deal about the question of arrears; he will find the Land Commissioners have been actually unsuccessful in preventing the practice to which he referred. The Amendment provides for control by this House, and such control is so essential that I shall be obliged to support the Amendment.

Mr. CHANCE: There seems a complete difference of opinion upon the question of arrears.

The CHAIRMAN: I have already pointed out that the question of arrears does not arise on this Amendment.

Mr. CHANCE: I am not going to discuss the question of arrears.

The CHAIRMAN: The hon. Gentleman must wait until the question of arrears arises.

Mr. CHANCE: I do not propose to discuss the question at all. I merely rise to say that the difference of opinion, to my mind, affords the strongest possible argument for the Amendment before the House, because, if the Amendment were carried, this information would be before the House in each case. And yet, what do we see? One supporter of the Government asks for information. I stated specifically one thing, and the Attorney General for Ireland specifically contradicted my statement. That shows an absolute necessity for the Amendment, because it shows that while we are here discussing a Bill to get rid of £30,000,000, there is a complete difference of opinion as to what is to happen with the money.

(9.25.) Mr. CONYBEARE (Cornwall, Camborne): If nothing else did, the great discrepancy of opinion on the important point raised by the hon. Gentleman (Mr. Wootton Isaacson) would induce me to vote for this Amendment. I understand the Government to argue that there is no precedent for a proposal of this kind. There may be no precedent, but so far as I am aware, there is no precedent whatever for a Bill of this particular nature. There have been Bills to advance sums of money to the tenantry of Ireland, but there has been no Bill to land this country in what I think is pretty certain to be a dead loss of £30,000,000 sterling. There is no guarantee worth the name; all the guarantees are simply guarantees in name and not worth the paper they are written on. Therefore, I maintain it is very material in the interest of the taxpayers of this country that there should be Parliamentary control, such as is indicated by the Amendment. It is a pity the Government do not practice a little more frequently what they preach. If this Bill is an indication of the way in which they propose to protect the interests of the taxpayers of this country, the less we have of Tory protection the better. By a series of Resolutions passed a few days ago, all the salaries of the men who will have the working of the Act have been placed on the Consolidated Fund, and therefore the House of Commons will have no control over them. What opportunity shall we have of discussing the administration of this Bill? If any job is perpetrated by one of these gentlemen and we raise the question in the House we shall be told, "Oh! these gentlemen are Judges, and then Judges do not come within the purview of the House of Commons." I think when the Government claim to hold the scales fairly as between these two claimants, they should be very careful before they pose in such a way to show us that they carry out the principles that they preach. There is a further reason why such control should be secured in future Sessions by the House of Commons. There would no doubt be considerable opportunity arising under the administration of this Act to throw some enlightenment upon the abominations that may be practised under the Act, and to bring home to the people of England the disastrous position in which they have placed themselves by putting a Tory Government in office —a Tory Government pledged against a

Bill of this character—pledged against the use of the British credit to secure a high expenditure for the benefit of Irish landlords. All their election pledges have been broken, and I think it is well to enlighten the country upon this point, and hence it is that we wish to push an Amendment of this kind which will secure the free criticism of the House of Commons. Then the Attorney General for Ireland says, "But how much better off will you be if you only have an opportunity of raising a discussion after 12 o'clock at night, and such questions will then only be decided upon side issues, and by Members who will probably not be in the House itself while the discussion is going on." Well, there are Members on this side who certainly have studied these matters, and who perhaps might be able to convey instruction and information even to Her Majesty's present advisers. These it may be hoped, would be able to influence the judgment of the House upon any land question raised, and to point out acts of jobbery transacted for the benefit of the landlords. If we are unable to compel the Government to allow such discussion to be taken earlier, well, then we must take it after midnight. And I may also remind the Attorney General for Ireland that the existence of a Tory Ministry is not a matter of perpetuity, and probably the changes that will occur after the next General Election may induce him and his friends, when out in the cold shades of Opposition, to thank us if we had secured such an opportunity as this.

(9.33.) MR. SEXTON: I am in favour of full particulars of all transactions under the Act being put before the House, and nothing but good could result from such a practice. But when the hon. Member goes on to propose that the Report shall lay upon the Table for certain days, there, I think, we reach a point of policy very much open to question. The effect will be to expose the Act to perpetual review and also to what I may call fragmentary repeal, putting it in the power of a Parliamentary majority at any moment to cancel a particular operation under the Act. Of course, we cannot be certain but that at any particular hour a majority might occupy these benches opposed to the Act as a whole, and might indulge that policy under cover of an objection to any particular transaction under the Act. It would be an evil, and, I feel, a dangerous thing if every farmer or landlord were liable to have his bargain reviewed not only by the Land Commission, but also by the House of Commons. This would introduce an element of uncertainty very likely to impede transactions, and I am desirous that every facility shall be offered and every cause for delay removed. But suppose a transaction completed in the month of August, and the House having risen in July, then, under this Amendment, it would be necessary to wait until the House met again in the January following, and then to wait for a further period of 30 days. In point of fact, the whole transaction would be kept in suspense for a period of half a year, and I cannot but think that that would be prejudicial to the working of the Act. Of course, I recognise that such an Amendment might be a protection against duress to one party in these transactions, but that I think should be secured in quite another way, and I hold that there would be ample security if the salaries of the land Commissioners were put upon the Votes and subjected to the control of this House, and that these Financial Commissioners should not be treated in the matter of salaries as if they were Judges, under this Bill.

THE CHAIRMAN: The hon. Gentleman is anticipating a future question that may arise under the Bill.

MR. SEXTON: I will not argue it. I only wish to indicate that that is one way of meeting the objection. This, I think, is the wrong method of doing so, and for the reasons I have stated I cannot vote for the Amendment of my hon. Friend. When the time comes, however, I shall be prepared to support a proposal for keeping the Commissioners' salaries upon the Votes before the House of Commons.

(9.37.) MR. A. O'CONNOR (Donegal, E.): I agree with the remarks of my hon. Friend as to the latter part of the Amendment, but I think that the earlier portion of it well deserves consideration at the hands of the Committee, and especially in view of the light of our experience, for we have had some experience under the Purchase Act. I refer especially to one case which has been put before us, namely, that of a large landed proprietor in a particular county of Ireland, who had three different estates in that county. Upon one estate the rents had been paid with remarkable punctuality, but on the other two the rents were generally in arrears. The tenants who were in arrear were allowed—I will not use a stronger term—were allowed to purchase. The tenants on the estates where they were not in arrear applied to be allowed to purchase, and they were not allowed to do so at all. The tenants who were in arrear found it to their advantage to come to terms with their landlord, whatever may have been the inducement, to bring about that conclusion. The Return which has been presented to the House shows us this result. This is the kind of thing which results from purchase, that the holdings of the tenants in arrear are purchased at 22 or 23 years, the purchase money covering the arrears. When there are no arrears, there is no means of purchase. This is how the Land Purchase Act is worked, and this is how it may be expected to work in the future. Under the circumstances, it does not appear to me unreasonable that Parliament should be furnished with information of the most detailed kind of the transactions that are allowed to take place from time to time. If a Division is taken, I shall support the first part of the Amendment, but I quite agree with my hon. Friend that the second part is one that we cannot support.

*(9.40.) MR. SHAW LEFEVRE: I quite agree with the hon. Member for Belfast that it is hardly desirable that we should adopt an Amendment of this character, which, undoubtedly, would throw an impediment in the way of business, and make the working of the Act almost impracticable. At the same time, I do think that information should be laid on the Table of the House as to completed transactions. There is an Amendment later on in the name of the hon. Member for the Rushcliffe Division, and it seems to me that this should recommend itself to the Government, and probably it might shorten the discussion if the right hon. Gentleman expresses his willingness to accede to this.

MR. J. E. ELLIS: He has done so.

MR. SHAW LEFEVRE: I was not aware of that; but, upon that understanding, I shall vote against the Amendment now before the House.

*(9.42.) MR. P. STANHOPE: I regret that the right hon. Gentleman should take that view. He seems to misconceive the object of the Amendment, which is to secure the continuous criticism of the House of Commons, and continual control over the distribution of these £30,000,000. Notwithstanding the comments of my friends from Ireland, I shall persist in my Amendment. I can quite understand the position of hon. Members from Ireland. They are anxious to secure in a positive and final manner this large grant of money for land purchase. They are afraid perhaps that at some subsequent period, possibly a Radical majority may be returned, and some of us may be inclined to say that we have gone far enough. That we think the book should be closed, and that we should re-consider our position. Our Irish friends are anxious that an eventuality of that sort should not occur. Now, I admit that they have claims in a financial sense upon Great Britain. There is an open and unsettled account between Great Britain and Ireland in financial matters, and I should be willing to make them a free gift of any sum which may be proved to be owing in consequence of unfair financial arrangements in the past. But I do object to this system under which Parliamentary control is to be withdrawn, and a large sum of money is to be expended upon Irish land in such form as to create a tributary charge from Ireland to England. With great respect, therefore, I must insist in submitting my Amendment to the judgment of the House.

(9.48.) The Committee divided:—Ayes 52; Noes 159.—(Div. List, No. 128.)

(9.59.) MR. CONYBEARE: The reason why I move this Amendment is because it seems to me that the landlords should share in the risk that these transactions would involve. So far as I have studied this complicated measure, the one class of individuals which Her

Majesty's Government seem anxious to protect are the landlords of Ireland. Now my object is to try and make them share the loss, for probably there will be a very large loss inflicted upon the taxpayers of the country. I presume, if the Amendments were accepted, that in certain cases the landlords would find themselves out of pocket, at any rate to the extent of the interest upon their guarantee. Now, considering the history of a great many of these landlords, it is really absurd that they alone should be protected, for it is entirely through their conduct in the past that the necessity for a Bill of this kind has been brought about, and in common fairness we must question their claim to pocket the advantages this Bill offers without let or hindrance. I object to that principle altogether. It is because the tyranny of some landlords has put them outside the rule of consideration that I propose this Amendment.

Amendment proposed, in page 1, line 11, after the word "advance," to insert the words "the guarantee to be a first charge upon such advance."—(*Mr. Conybeare.*)

Question proposed, "That those words be there inserted."

(10.1.) Mr. A. J. BALFOUR: I find some sort of difficulty in dealing with this Amendment, because I do not understand the purport of it. Sub-section 1 refers to Guaranteed Land Stock, and the guarantee there is, of course—the guarantee of British credit. How that guarantee is to be made a first charge on the advance I cannot see, nor how the operation is to be carried out, or what effect it will have if carried out. I am hardly in a position, therefore, to reply to the hon. Member.

(10.3.) Mr. CHANCE: The thing is very simple. If the tenant makes a default of payment the Treasury has to pay up, and then what the Treasury has spent in paying up is made a first charge in respect of the Stock that has been paid up. Having paid up 2¾ per cent., that 2¾ per cent., if it is not paid by the tenant, has to be the first charge on the Stock itself. The House has already decided that there should be some sort of guarantee, and it appears to me that the effect of the Amendment, if it is carried, will be to nullify that decision.

(10.5.) The CHAIRMAN: I think it would be better if the hon. Member for Camborne were to explain his Amendment.

Mr. CONYBEARE: I am exceedingly unwilling to trespass unnecessarily on the time of the House, but as I cannot help obeying the Chair—your command I may say, Sir—I will endeavour to explain my Amendment to the best of my ability. There are some Members of the Committee who understand the mysteries of finance better than I can pretend to do, and I believe that those who enjoy that distinction——

The CHAIRMAN: I must invite the hon. Member to proceed with his explanation at once. Without an explanation his Amendment cannot be put.

(10.6.) Mr. CONYBEARE: I will do so. In these cases a Preamble is sometimes useful; but if the Committee does not desire to hear my Preamble, I will proceed with my explanation, though it appears to me that the explanation I gave just now was ample for the purpose I had in view. Under the Bill as it stands the only party protected is the landlord. That I object to, and I wish to introduce words into the Bill which will make the landlord bear a share of any loss. So little attention was paid to my remarks when I first addressed the House that I think it is rather hard that I should be called on to repeat my arguments.

(10.8.) The CHAIRMAN: The hon. Member is under a misapprehension. He is not called upon to repeat any arguments, but merely to state what he means.

Mr. CONYBEARE: If I did not convey my meaning before, I am bound to say that my intention has just been so admirably put before the Committee by the hon. Member for South Kilkenny that I should be only further obscuring the issue were I to mix up my thoughts with those of the hon. Member, and to attempt to penetrate the skulls and minds of hon. Members opposite.

The CHAIRMAN: I call on the hon. Member to resume his seat, and I call on the hon. Member for the Rushcliffe

Division of Nottingham to propose his Amendment.

Amendment proposed,

In page 1, line 11, after the word "advance," to insert the words "Quarterly returns shall be made up to the end of the months of March, June, September, and December in each year, and as soon as practicable laid before Parliament, giving the following particulars respecting such advances:—(1.) Province and county; (2.) Landlord's name; (3.) Number of holdings; (4.) Area in statute acres; (5.) Tenement valuation; (6.) Rental (whether judicial or non-judicial); (7.) Purchase amount; (8.) Advance sanctioned; (9.) Name of purchaser."—(*Mr. John Ellis.*)

Question proposed, "That those words be there inserted."

(10.11.) MR. A. J. BALFOUR: We had a previous discussion on the matter, and I explained the intentions of the Government in substance. I do not know that this is the most convenient place for the Amendment; but as we have already discussed the matter, I do not see that there is any reason why we should not settle the matter at once. I accept the Amendment.

MR. SEXTON: I think that in No. 6, after "rental," the word "showing" should be inserted.

MR. A. J. BALFOUR: Hear, hear.

(10.13.) MR. CHANCE: I have a previous Amendment in No. 3. It seems to me that the information given in this form would be useless. What we want to know are the particulars of each purchase. I move, therefore, to omit the "s" from the word "holdings," so that it may cover particulars so far as each individual tenant on the estate is concerned. I think the word should be put in the singular.

THE CHAIRMAN: To strike the word out altogether would be the proper way to proceed.

MR. CHANCE: I move to strike it out.

Amendment proposed to the proposed Amendment, after "number of" to omit "holdings," in order to insert "holding." —(*Mr. Chance.*)

Question, "That 'holdings' stand part of the proposed Amendment," put, and negatived.

Question, "That the word 'holding' be there inserted," put, and agreed to.

(10.15.) MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I would make a suggestion to the Committee. We were not aware that the Government were prepared to accept the proposal of my hon. Friend in reference to this Return. It seems hardly in the competency of the Committee at a moment's notice to amend this Amendment so as to make the Returns perfect. I would suggest that the Government should prepare what they think a suitable Return, and bring it up on Report. We should then be able to consider it on due notice.

(10.16.) MR. A. J. BALFOUR: I cannot accept that suggestion. The hon. Member seems to think that the Government made up their mind to accept the Amendment at the last moment, and that when they do that the Committee should be allowed time to consider the decision arrived at. That is not the way to discuss these matters. We are prepared to amend the Amendment, and I think we should now follow that course. The Amendment to No. 3 has been agreed to. I think we should now agree to the Amendment proposed by the hon. Member for West Belfast, which would give all the particulars the Committee desire as to each holding.

(10.17.) MR. MAC NEILL: I think you should also include the number of cases where the Land Commissioners refuse purchase. I find that since the Ashbourne Act came into operation there have been 3,426 applications for purchase refused.

MR. A. J. BALFOUR: I do not think it desirable to make statutory orders on too large a scale when arranging for a Parliamentary Return. The Committee is of opinion that the Returns should include the particulars already specified. In addition we shall have annual or biennial Reports, and in those Reports all other information not included in the Returns will be given.

(10.18.) MR. CONYBEARE: I do not see in the particulars any reference to arrears. I think it would be important that we should know the arrears outstanding in each case. I do not know if that occurs to the mind of my hon. Friend, but I think the matter is important, and I hope he will accept the suggestion, or, if not, that the Chief Secretary will state whether or not he sees any objection to embodying the proposal in the Return.

MR. A. J. BALFOUR: We shall know what the arrears are when the transaction takes place.

MR. CONYBEARE: We should know it before.

THE CHAIRMAN: Before proceeding to suggest further additions we should deal with the Amendments on the Paper.

Amendment proposed to the proposed Amendment No. 6, after "rental," to insert "showing."—*(Mr. Sexton.)*

Question, "That the word "showing" be there inserted," put, and agreed to.

Amendment agreed to, to omit the word "amount" in No. 7, in order to insert the word "money." — *(Mr. Chance.)*

*(10.19.) MR. KNOX: I beg to move after No. 7, to insert "The amount of arrears due six months before the agreement of purchase." I think this will meet the difficulty suggested by the Chief Secretary in reply to the hon. Member. If we take arrears due immediately before the date of the agreement it will be easy for the landlord to dodge the Return by giving the arrears due just before the signing of the agreement. I have heard of a case where that was done. If we say "Arrears due six months before the date of the purchase," we shall provide against that, and shall be able to provide in a later clause of the Act that a statutory declaration shall be made giving the amount of the arrears.

Amendment proposed to the proposed Amendment, after the last Amendment, to insert the words "8. Amount of arrears due six months before agreement."—*(Mr. Knox.)*

Question proposed, "That those words be inserted in the proposed Amendment."

(10.21.) MR. A. J. BALFOUR: I think that, after all, the amount of arrears is not a matter of which the Land Commission can be officially cognisant. The Commissioners do not possess the machinery to make the Return suggested. If there are any questions of duress having been exercised on the purchaser, the exact amount of the arrears is immaterial, because a year's arrears would be as effective for purposes of duress as arrears for a much longer period.

*(10.22.) MR. KNOX: My Amendment is strictly germane to the business of the Land Commission. The Commissioners have to inquire into the security for the advance afforded by the holding, and, therefore, it is necessary to know whether the tenant has or has not been able to pay the rent previously exacted. It is perfectly easy to provide by a distinct clause the machinery for obtaining this information. In the agreement the landlord and the tenant have to make certain statutory declarations, and in these declarations can be included the amount of arrears due six months previously. It is true that arrears may have accumulated merely from laxity in the administration of the estate, but even then it has always been understood between landlord and tenant that such arrears can be exacted, though in ordinary times they are not called up.

(11.35.) SIR G. TREVELYAN (Glasgow, Bridgeton): There is another reason why it is desirable that the Chief Secretary should assent to the hon. Member's Amendment. The right hon. Gentleman undoubtedly referred to one motive—perhaps the governing one—which induced the hon. Member to press this Amendment, namely, that we should have some indication as to whether or not these sales are conducted under duress. I do not say that the answer of the Chief Secretary did not, to a certain extent, meet that reason, though I still think it important that we should have this information. I gather that the general object of the hon. Member for the Rushcliffe Division in his proposal is not quite the same as that of the hon. Member who moves the present Amendment. The hon. Member regards himself as a Representative of the country, and the country at large has a right to know what sort of estates the Government are buying for a period of 49 years. There is no single head in the suggested Return which could throw more light on the nature of the purchased property than that which shows what amount of arrears was due six months before the date of purchase. The right hon. Gentleman opposite, I think, says that in some cases a large amount of the arrears comes from the fact that there is lax administration of the estates. Now, be it remembered that when the State takes over the estates it cannot afford to be as lax an administrator as the landlords. It is bound absolutely, by the conditions of the bargain, to exact the rent. It is quite useless to say that the Land Commission is not in a condition to inquire into the question of whether there are arrears or not. The Land Commission is bound to fix in each case the number of years' purchase, and the main point governing the decision is whether the rents on the property can or cannot be easily exacted. For instance, property in West Galway or Kerry will not sell for the same amount as property of the same nominal value situated in Wexford, for the reason that the nominal rental is got in with much greater difficulty in West Galway and Kerry. Therefore, it is to enable Members of Parliament, for the county which they represent, to gather whether or not these bargains are good ones, and such as they ought to sanction, that this information is asked for. There can be no information for this purpose more important than whether or not the rent has been regularly paid. I must say that these seem to me reasons why Irish Members, and still more, perhaps, Scotch Members, ought to vote for the Amendment of the hon. Member.

(10.29.) Mr. T. M. HEALY: I would suggest a way out of the difficulty for the Chief Secretary, who no doubt finds it hard to grant the Return in the form asked for, for the reason that the Land Commissioners may say, "We do not know the extent of the arrears." His argument is that perhaps there are estates where large amounts of arrears are allowed to accumulate, but that the arrears must not be taken as a mark of pressure, but rather of condescension, on the part of the landlord. What I would suggest is this: Omit the question of arrears, but if within 12, 15, or 18 months, or any reasonable period, the tenants have been served with writs of ejectment or any legal processes of that kind previous to the agreement, that might be stated on the Return. Because from that it would be possible to see what is the actual amount of the arrears. That, I think, is a reasonable way out of the difficulty. Very often a tenant does not know how much he is in arrear, and I myself have known scores of cases in which landlords have made it a regular practice to refuse to give receipts.

Mr. CONYBEARE: I think that the addition it has been proposed to make to the Return would be a valuable one, because it would show who are the tolerable and who are the intolerable landlords, although I do not think it would fully meet the difficulty. We require to know whether we are investing our money in a profitable speculation, and I must say that as far as I understand the Bill, I do not know a single instance in which we should be able to make a profitable investment. In answer to what has been said by the right hon. Gentleman the Chief Secretary, I would point out that under the Arrears Bill of 1880, which I have in my hand, sufficient powers are given to the Commission to obtain all the information we require. By the first section of that Bill it is provided that if it be proved to the satisfaction of the Commissioner that the yearly rent has been paid or that antecedent arrears are due, and the tenant is unable to discharge such arrears, then the Land Commissioner may make an order, and so forth. Therefore, it is perfectly competent to the Commissioners to ascertain the particulars we are asking for.

(10.36.) Mr. A. J. BALFOUR: Of course, it would be the duty of the Land Commission to inquire into the solvency of the tenant who proposed to purchase his holding. I have no doubt that the relations existing between landlord and occupier and the amount of rent due are matters which will be inquired into. What I wish to point out to the Committee is that the amount of arrears due is perhaps the least important matter from the point of view of future solvency of a tenant. There are many other matters which have to be ascertained. There is the amount of stock which a man has on his farm, the amount of shop debts, and his indebtedness to others than the landlord. I feel, therefore, that I shall certainly adhere to the advice I gave to the Committee not to assent to this proposal, which, I think, has been adequately discussed.

Mr. CHANCE: Why could not the Government assent to this arrangement, when the landlord and tenant have signed the contract and put an affidavit on the back of the document, certifying certain particulars, which the tenant is bound to give. One of these particulars might be that the tenant should also state the arrears of rent in addition to the encumbrances which are already provided for. In that case, no further inquiry would be necessary. This being so, I ask whether there is anything to be gained by carrying on this discussion.

Mr. LABOUCHERE: I wish to point out in answer to what the right hon. Gentleman has just said that we are not considering the question of the solvency of the tenant at the present moment. What we want to know is whether the price paid for the guarantee is a fair and legitimate price. A private person wishing to make a purchase of land in Ireland would send his agent to ascertain whether the price asked represented a real or a fictitious rent — whether, in fact, the money had been paid or not, that being an essential element in the transaction. We have a duty to perform to our constituents, who, being the taxpayers, constitute the guarantee in the purchases proposed. We want these Returns in order that we may have some sort of control over these transactions, and if we find that the rent-rolls returned to us are sham rent-rolls, we have a right to protest against the action of the Land Commissioners.

(10.48.) Mr. MACARTNEY (Antrim, S.): I would put it to the House whether the information asked for by the Amendment would enable us to form a better judgment on the matter under discussion? I maintain that the statement of the arrears of rent on any particular property would not help us in the decision as to whether the price to be paid is too large; to render that information of any value you would have to enlarge it considerably by stating when the arrears began to accumulate, how much they amounted to in each year, what was the condition of agriculture during those years, and many other things which would render the inquiry almost interminable. All the Land Commissioners really have to satisfy themselves about is as to whether the land about to be purchased is a good security for the purchase money. That is a far more important question for this House and the country than the question of the solvency of the tenant, because the value of the land is the security for the payment of the money advanced by the country and not the position of the tenant. It is, moreover, absurd to say that the question of arrears has anything to do with the question whether the rent is a fair rent or not. I have only to add that I think the tendency of the speech of the right hon. Gentleman the Member for Bridgeton (Sir G. Trevelyan) would be to induce those who intend to become purchasers of land in Ireland to accumulate arrears, so that they might be enabled thereby to cut down the number of years purchase they would be asked to give for the property.

Mr. M. J. KENNY: I wish to point out that by Rule 5 the Commissioners before deciding any question relating to an agreement for purchase or making any advance are to be satisfied that the tenants' rent up to the last gale day has either been paid, satisfied or released; that Rule throws the onus upon the landlord of showing what is the amount of arrears due, and I should point out further that the servants of the Land Commission are bound to inquire what arrears are due. Therefore the Commissioners have the means of supplying the House with the information asked for. This being so I hope the right hon. Gentleman will see his way to accepting the Amendment of my hon. Friend.

Mr. A. J. BALFOUR: The hon. Gentleman will see that Rule 5 only provides that the Commissioners shall be satisfied that the rent has been paid, satisfied or released. But does not go on to say that the property shall be unburthened by any arrears of rent.

(10.55.) Mr. T. M. HEALY: I would ask the Chief Secretary seriously to re-consider his decision. I think it hardly fair that he should treat our arguments in the purely dialectic manner he assumes, whereby he evades the entire point of the discussion. The right hon. Gentleman assumes that the only question the State has to consider is the solvency of the tenant and his ability to pay the instalments. I say that that is not the only question. The main question is, do the contracting parties enter into the bargain with free minds? Take the case of leases in Ireland. It was declared, I believe, in 1870 by Lord Selborne that the lease in a case before him had been carried out under such duress that if taken into any Court of Equity, the document would have been set aside at once. Now what is this case? It is one in which the State advances public money to the landlord, who may take himself off next morning, having got the money in his pocket, not caring a rap what becomes of the tenants, and after that the tenant is to be saddled on to the estate for 49 years, the only thing the State has to consider being whether he is able to pay the annual instalments during that period. I should have imagined that in a matter of this kind the Government would be prepared to provide the House of Commons with the fullest means of forming the best judgment. But instead of this, the right hon. Gentleman shows that he is merely directing his attention to the best means of procuring that which the landlords, on whose behalf he is now acting, shall procure the money they require.

*(11.0.) Sir J. COLOMB (Tower Hamlets, Bow, &c.): I do not see that the fact of having information as to the arrears of the tenant proves anything whatever. The real question is as to the simple value of the land, and whether the bargain is good and fair. It is not as to the character of a particular tenant, or as to the amount of his arrears. I do not think it is advisable that we should have an accumulation of Returns to this House. It will not assist hon. Members in arriving at a clear decision on the question.

(11.2.) Mr. CHANCE: Earlier in the evening I went into the question, and I showed that in the negotiations which preceded purchase the first thing done was to ascertain the normal value of the land, and then to make additions according to the number of years arrears owing by a tenant purchaser. I think it would be very easy for the Commissioners to obtain Returns of the arrears owing, and I would appeal to the Attorney General for Ireland to say whether the Commissioners will have any difficulty in obtaining them. Surely there is nothing in the world to prevent the Land Commission adding to the contract Schedule a statement showing what the arrears are, and there is no reason why the tenant should not answer upon oath any question which the Land Commission may desire to ask of him.

*(11.5.) Mr. MADDEN: No doubt they can obtain it, but the question is whether the information is material to the issue with which the House has to deal.

(11.6.) Mr. CONYBEARE: When I originally proposed this Amendment I thought it was a point of which everyone in this Committee would admit the importance. The questions raised are first as to the placing the tenants under duress, and, secondly, as to the solvency of the tenant. Both of these points are connected with material safeguards under this Bill. Enormous sums of money are being voted, as is supposed for the benefit of the tenantry, and certainly they will go to the benefit of the landlords, and we shall have no right to complain if the House is ultimately placed under duress in having to evict tenants who cannot pay instalments based upon arrears as well as upon value. I should like to know what would be the value of these Irish estates if there were no tenantry to cultivate them, and if the landlords were compelled to cultivate their own acres. It appears to me that the question of the solvency of the tenant is an absolutely new element in this matter. I put it to the hon. Members opposite, who seem to think this is mere nonsense, whether any reasonable landlord in considering the letting of a farm to a tenant, either here or in Ireland, would not bear in mind the question whether or not that tenant was solvent and able to fulfil the obligations which he thus took upon himself. Now this question of arrears, raised as it is on this point, must result either in the tenant being unable to pay, and therefore the land constituting a bad security, or a man being plunged hopelessly into debt by some means or other. It appears to me that the arguments against the Government on this point are absolutely unanswerable. I believe there is something behind all this. I am convinced that this is an important Amendment, and I hold that it is desirable in the interests of the British taxpayer that we should make our views known. I hope hon. Members will insist on getting from the Government a more satisfactory explanation on this point.

(11.12.) MR. KEAY: I think the proof of the desirableness of making known the magnitude of arrears may be found in the Return recently presented to this House on the Motion of my hon. Friend the Member for Rushcliffe. According to the Return, the average rate of purchase under the Ashbourne Acts is about 19 years' purchase of the Poor Law valuation, but looking at the tenants now in default, and whose holdings have become worthless to them and dangerous to the British taxpayer, it is found by the capitalization of the arrears that the average purchase-money exacted from the poor men amounts to no less than 25 years' purchase on the Poor Law valuation. I hold that that is an instructive fact. I know the right hon. Gentleman claims that under his scheme the tenant will only have to pay £68 for each £100 value, but I venture to suggest that this high value is based mainly on the arrears.

*(11.14.) MR. KNOX: We do not ask for anything but information; the Land Commission has to satisfy itself whether or not the arrears have been paid, and in order to do so must know when the arrears have been paid. The facts are, therefore, clearly within the cognisance of the Commission, and, even if they are not, all this information can be obtained by inserting another column in the description of the holding, which is sworn to by the tenant when he signs the agreement. I think we have a right to demand this information.

Sir JOSEPH M'KENNA rose in his place, and claimed to move "That the Question be now put;" but the CHAIRMAN withheld his assent, and declined then to put that Question, because it was unnecessary, inasmuch as the Committee was willing to come to a decision without Closure.

(11.16.) The Committee divided:—Ayes 123; Noes 197. — (Div. List, No. 129.)

Amendment amended, by inserting after the word "sanctioned," the words, "9. Guaranteed Deposit." — (*Mr. Chance.*)

Amendment, as amended, agreed to.

*(11.32.) MR. KNOX: I beg to propose the Amendment which stands in my name. I take it to be the intention of the Government that in every case the Stock shall be sufficient to satisfy the purchase money up to its nominal amount, and I think it would be well that this should be distinctly stated.

Amendment proposed,

In page 1, line 11, to insert after the words last inserted, "and such Stock, as between the landlord and tenant of the holding purchased, shall be accepted by the landlord as equal in value to the nominal amount thereof."—(*Mr. Knox.*)

Question proposed, "That those words be there inserted."

MR. A. J. BALFOUR: I do not believe the Amendment is necessary, but it is quite in accordance with the intentions of the Government, and I accept it.

Question put, and agreed to.

(11.34.) MR. KEAY: The Amendment I have now to move is in line 13, to leave out "fifteen" and insert "ten." I desire that there should be such an arrangement effected by this Bill that no one class of holders of public funds created in the present day shall have an undue advantage over any other class. I am pleased on this occasion to feel thoroughly at one with the opinions which I know have been entertained by the right hon. Gentleman the Chancellor of the Exchequer. The right hon. Gentleman in 1888 carried out what we all know was a very excellent and successful scheme of conversion. He succeeded in converting something like £500,000,000 of the National Debt practically from 3 to 2½ per cent. What was the reason why the right hon. Gentleman entered into that scheme? I assert fearlessly that there was only one reason, and that was that he believed as a matter of financial prophecy—and I think with the little experience I have I can thoroughly join in the prophecy—[*Cries of* "Question!"] I am speaking directly to the question; Gentlemen who call out "Question" do not understand the Bill. I say the right hon. Gentleman rightly gauged the future. His

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sense of justice would have been revolted if he had not believed that the country would be able to borrow money, say for the next 50 years, at 2½ per cent. —in other words that the 2½ per cent. securities of the Government would stand at about par. It is of no use whatever for anyone to come forward now, as gentlemen have done to-night, and point to the fact that what are practically 2½ per cent. Consols are now at 96. The right hon. Gentleman was legislating for the century, or, at all events, for the half-century to come, when he converted the Stock, and I say that this Bill likewise makes provision for the coming half-century. I am very curious to hear what the Chancellor of the Exchequer will say to justify his creation of a higher Stock at the present moment than that which he has recently so successfully dealt with. The right hon. Gentleman knows that the effect of his proposal will be that the Land Stock will steadily rise until it reaches from 6 to 8 per cent. premium. The right hon. Gentleman is going to present the landlords with the most enormous privilege under his Bill in allowing them to fix their own price for the land. Say that a landlord fixes £100 as the price of a certain plot of land, the right hon. Gentloman puts a bit of scrip into the landlord's pocket which will sell in the market for £106 or £108. He is deliberately putting a premium of from 6 to 8 per cent. on the top of the landlord's valuation of his own land. There is, to my mind, no equity in that. Luckily for my contention the right hon. Gentleman in charge of the Bill and the right hon. Gentleman the Chancellor of the Exchequer have shut the door upon an argument they might otherwise have brought forward. They might have argued that Land Stock, being an uncertain and unknown Stock and a new Stock, might not become a favourite in the market, and consequently it was desirable that there should be something to tempt the public to take it up. They have, however, provided that the landlords shall have the option of exchanging it at par for Consols. I say this is a most unjust and outrageous provision. It is playing against the English nation the game commonly known as "heads I win, tails you lose." What does it mean? Let us take a case: Suppose that 10 or 20 years hence the Land Stock is in great favour; that the land purchases have been very successfully carried out; that the tenants are paying up very well; that this 2¾ per cent. is supposed to be as secure as Two and a Half per Cent. Consols. The result is evident. The Land Stock will be at a premium of from 6 to 8 per cent., and the landlords will not exchange for Consols. But suppose, on the other hand, that the operations of this Bill result in conclusions dangerous to the State—in tremendous political convulsions and social upheavals; what will happen then? The Land Stock, although it may bear a higher interest, will go below par, and the landlords will take advantage of this clause and exchange the Stock for Consols. I think I have said quite enough. [*Ministerial cheers.*] I understand those cheers; they come from the landlords sitting below the Gangway opposite. I understand what the hon. Gentlemen want. They do not want to be informed, but simply to hasten the stream of British gold into their pockets and those of their landlord friends. I have explained my Amendment as briefly as I can, and I commend it specially to the favourable consideration of the Chancellor of the Exchequer for the two separate reasons I have given.

Amendment proposed, in page 1, line 13, to leave out the word "fifteen," and insert the word "ten."—(*Mr. Keay.*)

Question proposed, "That the word 'fifteen' stand part of the Bill."

(11.45.) The CHANCELLOR of the EXCHEQUER (Mr. Goschen, St. George's, Hanover Square): The hon. Member assumes that this side of the House is composed of landlords.

Mr. KEAY: I said below the Gangway.

Mr. GOSCHEN: If statistics were prepared on the subject, I think it would be found there are quite as many landlords on that side of the House as on this. The hon. Member suggests that this Stock should be reduced from £2 15s. per cent. to £2 10s. He seems to think that Two and Three-quarter per Cent. Stock of this kind is sure to rise very much above par.

Mr. KEAY: If 2½ per cent is par.

Mr. GOSCHEN: There is at present Stock guaranteed as this Stock is, and charged on the Consolidated Fund, and which bears interest at the rate of 3 per cent., namely, the Local Loan Stock. That Stock stands at 102. If the Local Loan Stock at 3 per cent. stands at 102 I think the hon. Member and the Committee will see that Two and Three quarter per Cent. Stock is not likely to take the position the hon. Gentleman assigns to it. What we desire is that the landlords should get par for their Stock. This Stock will stand between Consols and the Local Loan Stock. As regards the other points raised by the hon. Gentleman, he will bear in mind it is only within limits fixed by the Treasury that this Stock can be exchanged for Consols.

(11.50.) MR. KEAY : I have no doubt the right hon. Gentleman thinks he has traversed my remarks ; but, in sitting down, I specially asked him to reply to two points. He has not replied to them. Of course, when he takes the present value of the Two and a Half per Cent. Consols at 96, we all know that Three per Cent. Consols would be 102. That is just exactly—— [The CHANCELLOR of the EXCHEQUER rose to intervene.] I beg the right hon. Gentleman's pardon. [*Ministerial cheers.*] I do not think the statement is of such a character as necessarily to elicit that cheer. How does he justify his statement that he must take the present market price when his whole conduct for years past proves that, in his judgment, the legitimate price of Consols for the next half century will be par at 2½ per cent. ? I call upon the Chancellor of the Exchequer to say if it is not the case that he believed in 1888, and still believes, that in the grand future par is to be found as the measure of 2½ per cent. interest on the National Debt.

(11.54.) MR. T. M. HEALY: I expected the Chancellor of the Exchequer would make some statement to-night as to why he invented this Stock, practically giving the Irish landlord a better bargain than the taxpayers. The landlords of Ireland have done nothing whatever except bring misery to the country, and yet he gives them a far better bargain for clearing out than he gives to the fundholder who has invested his money with the State. I trust the fund-holding classes, who are largely Conservative, and who really do not owe very many thanks to the Chancellor of the Exchequer, will take into view the different treatment the Chancellor of the Exchequer has meted out to that deserving class, to that he has meted out to a class of gentlemen who have nothing to show except a few worn-out crowbars and battering-rams.

MR. LABOUCHERE : If the right hon. Gentleman were to issue Consols as suggested by the Amendment of the right hon. Gentleman the Member for Wolverhampton at 3¼ per cent., reducible in 15 years to 2½ per cent., in all probability it is reasonable to suppose they would stand at par. The object of the Chancellor of the Exchequer surely is to get this money as cheaply as he possibly can. Will he explain why on earth he does not issue Consols ?

MR. GOSCHEN'S reply was inaudible in the Gallery.

MR. KEAY : Will the right hon. Gentleman kindly answer my question ?

MR. CONYBEARE : The right hon. Gentleman said just now that the Government are anxious to give the landlords Stock at par. I am not anxious to do anything of the kind. I have not the slightest sympathy with the object of the right hon. Gentleman——

It being midnight, the Chairman left the Chair to make his Report to the House.

Committee report Progress ; to sit again to-morrow, at Two o'clock.

MAIL SHIPS BILL.—(No. 163.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 4.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." — (*Dr. Tanner.*)

(12.1.) THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): May I appeal to the hon. Member to allow this Bill to proceed ? It is of importance to the public interest that legislative sanction should be given to these proposals without delay.

(12.1.) DR. TANNER (Cork Co., Mid): I would suggest to the right hon.

Gentleman that if it is necessary to proceed with the measure he should put it down as first Order of the Day. I really must object to measures being rushed through after midnight.

Question put, and agreed to.

Committee report Progress; to sit again to-morrow, at Two of the clock.

LONDON (CITY) TRIAL OF CIVIL CAUSES BILL.—(No. 269.)

SECOND READING.

Order for Second Reading read.

(12.3.) The ATTORNEY GENERAL (Sir R. Webster, Isle of Wight): I hope the House will take the Second Reading now. It is simply a Bill to remove doubt whether civil cases can be taken in the City of London. There is in fact no alteration of the law. The question has been raised whether *nisi prius* trials can take place in the City of London at the Guildhall.

Dr. TANNER: I object.

(12.3.) Mr. T. M. HEALY (Longford, N.): I notice on the Paper a series of little Bills of this character such as are usually made the subject of barter and arrangement between ourselves and the Government towards the end of a Session. Now, if we allow these Bills to go through now, we lose all the advantage of these Autumn manœuvres, sometimes very useful to us. The Government seem to be prematurely delivered of a number of these Bills, and it is unusual to attempt to rush them at this period of the Session. I think the City of London, having waited so long for this Bill, can well wait a few weeks longer.

(12.4.) Mr. CONYBEARE (Cornwall, Camborne): A little time ago, in the course of the Debate, a Member of the Government pointed out as an objection to certain proposals made from this side of the House, that the House would be under the necessity of discussing Returns and approving transactions under the Land Purchase Bill after 12 o'clock at night. Upon the same grounds we may object to Bills being taken after midnight.

Second Reading deferred till to-morrow, at Two of the clock.

LOCAL REGISTRATION OF TITLE (IRELAND) BILL.—(No. 189.)

SECOND READING.

Order for Second Reading read.

(12.5.) The ATTORNEY GENERAL for IRELAND (Mr. Madden, Dublin University): I hope the House will allow this Bill to be read. Its object is useful and necessary, and it is accepted on both sides of the House.

Mr. CONYBEARE: The right hon. and learned Gentleman used the 12 o'clock argument, to which I just now referred, and that argument is tenfold stronger against a Bill of this kind.

Second Reading deferred till to-morrow, at Two of the clock.

INFLAMMABLE LIQUIDS BILL. (No. 193.)

Order for Second Reading read, and discharged.

Bill withdrawn.

PRESUMPTION OF LIFE LIMITATION (SCOTLAND) BILL.—(No. 248.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." — (*Dr. Tanner.*)

(12.8.) Mr. BUCHANAN (Edinburgh, W.): I hope we may be allowed to proceed. This is a small Bill of a technical character, and is urged from both sides of the House on behalf of those interested. There is no real opposition to the Bill on its merits.

Dr. TANNER: I much regret that I cannot give way at the solicitation of the hon. Member.

Committee report Progress; to sit again to-morrow, at Two of the clock.

FISHERY BOARD (SCOTLAND) BILL [LORDS].—(No. 259.)

SECOND READING.

Order for Second Reading read.

(12.9.) Mr. MARJORIBANKS (Berwickshire): On this I venture to ask a question. The principle and many of the details of the Bill resemble those of one I have in charge, and I wish to ask if the right hon. Gentleman will consent to both Bills being sent to the same Select Committee?

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I will consider this, and will communicate with the right hon. Gentleman when I have consulted with my advisers on the subject.

Second Reading deferred till Thursday.

PRIVATE BILL PROCEDURE (SCOTLAND) [SALARIES, &c.]

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of any salaries, remuneration, and expenses, which may become payable under any Act of the present Session to amend the Procedure in regard to Private Bills relating to Scotland."—(*Mr. Jackson.*)

Committee report Progress; to sit again to-morrow at Two of the clock.

SHERIFF CLERKS DEPUTE (SCOTLAND) BILL.—(No. 235.)

SECOND READING.

Order for Second Reading read.

MR. PHILIPPS (Lanark, Mid): May I ask whether the Government see their way to allowing this Bill to be read a second time?

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I am not prepared to assent to the Second Reading.

Second Reading deferred till Thursday.

COMMISSIONERS FOR OATHS ACT (1889) AMENDMENT BILL.—(No. 244.)

SECOND READING.

Order for Second Reading read.

DR. TANNER: I object.

*(12.16.) SIR ALBERT ROLLIT (Islington, S.): I hope the objection will not be insisted upon. The Bill is introduced by the right hon. Gentleman the Member for Wolverhampton and myself at the request of the Incorporated Law Society. Its object is to remove the necessity in certain cases for declarations to be made in London.

MR. CHANCE (Kilkenny, S.): I would join in the appeal to my hon. Friend not to persist in his objection.

DR. TANNER: I must persist.

Second Reading deferred till Thursday.

LAW AGENTS (SCOTLAND) BILL. (No. 69.)

Considered in Committee, and reported; as amended, to be considered upon Thursday.

CHARITIES' RECOVERY BILL.—(No. 247.)

As amended, considered.

Bill read the third time, and passed.

SOLICITORS AND APPRENTICES (IRELAND) BILL.—(No. 87.)

Considered in Committee.

(In the Committee.)

Clause 4^{a}.

Committee report Progress; to sit again to-morrow.

DRAINAGE AND IMPROVEMENT OF LAND (IRELAND) BILL—(No. 66.)

Considered in Committee.

Committee report Progress; to sit again to-morrow.

HERRING BRANDING (NORTHUMBERLAND) BILL.—(No. 236.)

Bill read a second time, and committed for to-morrow.

RANGES COMMITTEE.

Select Committee on Ranges nominated of,—Mr. Brodrick, Mr. Cross, General Sir William Crossman, Mr. Duncan, Sir Henry Fletcher, Mr. Leveson Gower, Mr. Seale-Hayne, Colonel Laurie, Colonel Malcolm, Mr. Marjoribanks, Colonel Nolan, Mr. Philipps, and Mr. Howard Vincent.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Five be the quorum.—(*Mr. Howard Vincent.*)

MOTION.

SHERIFF COURTS (GLASGOW) BILL.

On Motion of Mr. Baird, Bill to amend the Law regulating the Sheriff Courts in Glasgow, ordered to be brought in by Mr. Baird, Dr. Cameron, Mr. Caldwell, and Mr. James Campbell.

Bill presented, and read first time. [Bill 276.]

House adjourned at twenty-five minutes after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, 14th April, 1891.

BERKELEY PEERAGE.

Petition of Francis William Fitzhardinge Baron Fitzhardinge, of Berkeley Castle in the County of Gloucester, and of Cranford House, Hounslow, in the County of Middlesex, to Her Majesty, praying Her Majesty that the titles, dignities, honours, and Peerages of Earl of Berkeley and Viscount of Dursley may be declared and adjudged to belong to the Petitioner, and that the Petitioner may be summoned according to law to this present Parliament in right of the said Peerages; and further, that (if need be) the Petitioner may be graciously permitted by Her Majesty the opportunity of making good to Her Majesty's satisfaction his claim, and that right and justice may be done in the premises and to the Petitioner; together with Her Majesty's reference thereof to this House and the Report of the Attorney General thereon thereunto annexed: presented (by command), read, and referred to the Committee for Privileges to consider and report.

LORD MULGRAVE.

Petition of Constantine Charles Henry Phipps Baron Mulgrave of New Ross in the County of Wexford in the Peerage of Ireland (Marquess of Normanby in the Peerage of the United Kingdom), claiming a right to vote at the elections of Representative Peers for Ireland; read, and referred to the Lord Chancellor to consider and report thereupon to the House.

The Lord Carlingford (*L. Clermont*)—Took the Oath.

THE LATE EARL GRANVILLE.

*THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): My Lords, I feel confident that I am not assuming too much in supposing that your Lordships would not be willing to meet on this occasion without referring to the great loss which has fallen upon this House during the Recess. I regret very much, indeed, that my noble Friend Lord Salisbury is absent on this occasion, because I am quite sure he would have given a more adequate picture of the character and qualities of the man with whom he was brought so constantly into relation, whether in the management of the business of this House or in the conflicts among the different parties who are contending. Of this, however, I am quite sure, that I do not misrepresent my noble Friend, nor shall I misrepresent my friends who sit behind me, when I say that whatever controversies may have been waged between Lord Salisbury and Lord Granville were marked by cordial relations, and were carried on without anything approaching to a taint of personal rancour or personal animosity. I trust, my Lords, in the conduct of politics in this House it may always be so, and that it may not be assumed that because there is a difference of opinion there is rancour on one part or the other. I trust that those cordial relations which have distinguished the parties in this country who differ on political questions may continue, and show that the heat of political controversies does not burn out personal friendships or generosity, and that men may continue to appreciate one another, believing that high motives are quite compatible with adverse opinions. But, my Lords, I know that you will not imagine, when I speak of Lord Granville as having acted on all occasions with temper, patience, and generosity to his opponents, that I intend to lead you to suppose that he ever in any way sacrificed his convictions for the sake of conciliating anyone, or that he threw over for that object those opinions which I know he held firmly and strongly. In fact, by his own admission, he was a strong politician, a keen Party-man, and it was as such that he conducted the business of this House upon all occasions when it was necessary, and only when it was necessary. He had great adversaries to meet during his long career, and those adversaries he met with a firm and fearless mien; and though he may not perhaps have risen to the heights of oratory that some attained, yet it must, I think, be admitted by all that he met his antagonists in many a stirring debate without flinching from the occasion. My Lords, Lord Granville was one who was skilful in fence; he was a great master of repartee;

but I think there again we shall all admit that he never used that power to wound or to hurt any one, or with any malicious intention. The weapon which he used was generally so sharp and polished that the wound it made healed almost immediately; what he gave he was ready to endure, and I can say confidently that none of your Lordships have seen Lord Granville in any encounter show signs of temper. My Lords, he was a true friend to the Assembly in which he sat. It is a remarkable thing, I think, that in the many controversies which have arisen with regard to this Assembly, Lord Granville never threw any slur upon its reputation in the House or out of it, and that on all occasions he watched with jealous watchfulness over its interests, its dignity, and its honour. Not by one word or action of his own did he ever throw any stain upon this Assembly. Can it be wondered at, then, my Lords, that this House reciprocated the feelings which Lord Granville always himself entertained? Thus, while he did honour to this Assembly, he was honoured by it universally. It was not one Party more than another in this House that recognised him; he was recognised by all as a fit spokesman and representative of this House. Courteous as he was to his opponents, winning as he was to his friends, it was when no Party feeling intervened, that those who have had the opportunity of watching Lord Granville's career will remember that upon many great occasions how in graceful and appropriate words he expressed the sentiments of this House with a taste, with a tact, and with a judgment which left nothing to be desired; and that upon those occasions the high breeding and the manly simplicity with which he expressed himself found an echo in the hearts of every one of your Lordships. May I be permitted for one moment to say a word personal to myself? I felt a deep regard for Lord Granville, who welcomed me very heartily to this House, and on many occasions since I have sat in it showed a kindness in his intercourse with me, which made me esteem and honour him. I, too, like his many friends, miss the touch of that vanished hand and the sound of that voice which is still. But, my Lords, I am speaking not for myself; I am speaking for your Lordships. I am quite sure that the universal regret which you feel ought not to be, and is not, separated from the deep sympathy which you must feel for those who miss that genial presence from private and domestic life. My Lords, his distinguished career is at an end, but it has not come to an end immaturely or without the honour which his country is ready to pay to one who has served it faithfully. Lord Granville for 40 years of public life lived in the sight of a censorious and critical world, with many eyes upon him, at home and abroad; and I only wish that those of us who survive him may, like him, pass from the scene with the consciousness that we have not deserved and have never incurred any personal hostility. My Lords, I leave to those who were associated with him more intimately in politics to speak for him as their political friend. In the absence of my noble Friend, and as the Leader of the House for a temporary purpose, I speak of him with a desire to show, as I feel, that Lord Granville was worthy of the honour and approbation which this House is now showing towards him.

*THE EARL OF KIMBERLEY: My Lords, the noble Viscount has expressed so fully and in such feeling terms what I am sure is the unanimous sense of the House that there is little to add to what he has said; but as one of the oldest Colleagues of Lord Granville, and as having acted for him for some time during his occasional absences from this House, perhaps your Lordships will allow me to say a few words. To those who, like my noble Friend Lord Spencer and myself, have long been associated with him in public life, the loss we have sustained by the death of Lord Granville is almost irreparable. Long and sadly shall we miss his wise and sagacious counsel and guidance, the genial friendship which he extended to us at all times, and his constant support in all circumstances. My Lords, as the noble Viscount has said, Lord Granville was not perhaps endowed with the gift of powerful and commanding eloquence, but upon serious occasions the House knows well that his speeches were wanting neither in weight nor in dignity. At the same time, he possessed a singular gift of lightness of touch, of felicity of expression, and happy anecdote, with which he enlivened even the driest

Debate in this House. Our lamented friend was never deficient, never failing in his popular sympathies, and, as the noble Viscount has truly said, he never shrank from the open expression of his opinions and from their firm and consistent maintenance whether in this House or outside of it; but, as the Leader of this House or as the Leader of the Opposition, he possessed the remarkable gift of expressing his views without compromise, and yet never with any offence to those who were opposed to him. He had many opponents in this House, but even among those opponents he had many friends. Your Lordships all remember how he conducted the business of the House when leader of the Government for many years—with what tact, with what discretion, with what conciliatory temper and patience he conducted the business under circumstances often of very great difficulty in the face of adverse majorities; but that tact and that temper never failed. He had that singular way of tempering his opposition with moderation and that kindly manner which disarmed any feeling of hostility to himself personally. The noble Viscount has most truly said that it was one striking characteristic of him that he always had at heart—the honour and the dignity of this House, and by that he gained its confidence and its esteem. I will say no more, except this: that to his own family and to the many friends who mourn for him, a career so honourable to himself and so useful to his country must yield them some consolation, for they must feel that it has been crowned with what I believe to be the universal regret of all, both in this House and throughout the country.

*The Earl of DERBY: My Lords, after what has been said, and said with so much taste and with such genuine feeling, first by the noble Viscount and next by my noble Friend, whose connection with the distinguished Member of this House whom we have lost has been certainly longer and perhaps closer than mine, I have only a few words to add, and I add them, not because they are needed as a tribute to Lord Granville's memory, but in order that what I know we all feel in common may be expressed alike by every quarter of this House. The loss which the country has sustained by the death of Lord Granville is heavy; but the loss which this House has sustained is heavier still, for probably no statesman and no political leader has ever lived who was more closely and entirely identified with the Assembly in which he sat. I agree with what has been said by the noble Viscount and by the noble Lord behind me, that to keep this House efficient, to keep it, as far as possible, in harmony with the other House of Parliament, and to preserve for it the respect and esteem of the public, was an object in which he felt at all times the deepest personal concern. That is a feeling in which your Lordships can all sympathise in whatever quarter of the House you may sit, and even though in particular cases your Lordships might not agree with the methods by which that result was to be attained. My Lords, there were other traits in Lord Granville's public character which it is easier for most men to admire than to imitate. How skilful and dexterous an antagonist he was in Debate, how firmly and effectively he maintained the opinions which he held, whether popular or unpopular, we do not need to be reminded; but I can remember no occasion, and I have heard of none in the many years during which he took part in our Debates, when either Lord Granville himself appeared to be actuated by any personal animosity or bitterness, or when he spoke in such a manner as to excite that feeling in the minds of his opponents. It was also, I think, a part of his nature and of his training, that no one actively engaged in public life ever indulged less or, I should rather say, more entirely abstained from indulging in any exaggerated or sensational language. He held strong and definite opinions; he held them more strongly than many of those outside, who judged only by the invariable gentleness of his language, were apt to suppose, but they were the opinions of a statesman and a man of the world, of one whose immense experience had taught him tolerance, whose thorough knowledge of individual character was combined with a knowledge of the wants and ideas of society as a whole, and who, by his mental constitution, was free alike from optimistic enthusiasm in his earlier career, and later from that which is often the reaction from exaggerated enthusiasm, the pessimism and despondency which are too often the characteristic and the misfortune of old age. I think I should be justified if I said that by his peculiar position representing and inheriting as he did the traditions of an older state of society, yet accepting the ideas of one more modern, he was eminently suited to deal with men and affairs in an age of transition such as that in which we live. When it can be said of an English political leader, that he was always loyal to his supporters, always fair and courteous to his opponents, a faithful Colleague, a laborious public servant, warmly and frankly attached to his Party, but not so as to place its interests before those of his country; when it can be said that for half a century he lived in the public eye without reproach, and that he has gone to his rest amid the regrets of thousands to whom he was personally unknown—when these things can be truly reported of a man there is not much that need or can be added in the way of panegyric, and all these things are undoubtedly true of the eminent and remarkable statesman whose loss we now deplore.

*THE EARL OF SELBORNE: My Lords, if it were only my own personal feeling which I wished to express I might have difficulty in excusing myself for adding anything to what your Lordships have heard so well said. To repeat it would be idle; to improve upon it would be impossible. But besides my personal feeling, which is the result of an active and constant communication and co-operation in public affairs with Lord Granville for more than 20 years, during the greater part of that time without any difference of opinion, besides my sense of his kindness experienced during all that time, I have on this occasion to attempt to express the feeling of an absent friend, who would, I know, have been here to-day were it not that he is prevented by an illness which makes his presence impossible—I mean the Duke of Argyll. He longer than myself, longer, perhaps, than almost any of your Lordships, had been on terms of intimate personal communication and friendship with Lord Granville, and of official co-operation also with him during many years. He would have been very desirous of expressing his own feelings on this occasion. He is prevented from doing so; but I am so far in possession of his mind that I may venture to say to your Lordships that, whilst he would have spoken more fully and more eloquently than I can pretend to do, he would have concurred in the substance of the few words which I think your Lordships will excuse me for adding to what has already been said. I think if there were any cause which might possibly lead any person to estimate at less than their true value the services rendered by Lord Granville to his country, that cause was a quality which in him was most admirable—singular disinterestedness and a singular absence of self-assertion on all occasions. He had many opportunities which he would not take of advancing his own personal reputation, but he always thought of the duty which he had to do, and in my judgment he never thought of himself. There was another quality, which, I think, was unique in him, in which he excelled all the public men of his day, as far as my knowledge and memory go, and I can remember Sir Robert Peel, and had the privilege of personal intercourse on many occasions with Lord Russell and Lord Palmerston—of course, I shall not speak of any who yet remain. He had the quality of mitigating the asperity of Party warfare, a quality admirable and excellent at all times; especially in a man who never shrank, as has been well said, either from expressing his opinions, or from doing so with an effect which every one felt. His power of infusing, not merely the gloss of an acquired courtesy, but the innate courtesy of a most genial and generous nature into all that he said and did was a gift at all times most valuable, and perhaps more wanted at the present time than it ever was before. I cannot express a wish more sincere or more to the purpose, I think, for those who in this House may have to take his place than this—that in that respect, as well as in others, they may be able to follow and to imitate his example. On all occasions when great men are taken away from amongst us it is the practice of your Lordships' House to pay such tribute as you can to their memory, and on all such occasions, I believe, that tribute has been sincerely paid: though there have been times when we have availed ourselves of the privilege of looking only to the bright side of the character of those who were taken away and put out of sight, whatever might detract from that brightness. But on this occasion I know of nothing which could dim the brightness, nothing to be suppressed, nothing that could be said in derogation of the praises which have been bestowed on this great man whom we have lost. I believe that there has never been an occasion when the feeling of your Lordships was truer, deeper, or more unanimous.

NEWFOUNDLAND FISHERIES BILL.

QUESTION—OBSERVATIONS.

*THE EARL OF KIMBERLEY: My Lords, I wish to ask my noble Friend the Secretary of State for the Colonies when he intends to take the Second Reading of the Newfoundland Bill. We only received the Bill—at least, I did not receive it until this morning; and I am informed—whether rightly or wrongly my noble Friend will know—that the delegates from Newfoundland are expected to arrive to-morrow. Then, unfortunately, we have not the advantage of the presence of the noble Marquess the Secretary of State for Foreign Affairs, and it is obvious that this is a question which concerns the Foreign Office quite as much as it concerns the Colonial Office. Beyond this, although I have only glanced at the Bill, and I do not desire to anticipate any discussion upon it, I must say there are some details in it which appear to me require very careful examination. It seems to me it would be unwise on the part of this House, and I appeal to my noble Friend opposite whether it would be in the interest of the Government to press forward this measure (of course having due regard to such urgency as it has in itself) in the absence of the delegates from Newfoundland, and before we have had any opportunity of learning their views and what they may have to communicate concerning this very grave subject. I hope the rumour may be true that they are coming here with conciliatory proposals, and if they have anything to say which could be heard before the Bill is discussed, and which might lead to any modification of the Bill with a view to remove objections which are felt in the colony, and smooth the way for dealing with this exceedingly thorny subject, I am sure my noble Friend will rejoice as much as I should if that opportunity could be given. For these reasons I sincerely hope that my noble Friend will find it possible to give us ample time for the consideration of this important Bill before the Second Reading, and I beg to ask him when he intends to take the Second Reading.

*THE SECRETARY OF STATE FOR THE COLONIES (Lord KNUTSFORD): My Lords, I have no intention of bringing this Bill on for Second Reading in the absence of my noble Friend the Marquess of Salisbury, because I feel as strongly as the noble Earl that the question is not purely of Colonial interest, but is also one closely connected with the affairs and procedure of the Foreign Office. I purpose, therefore, with the Marquess of Salisbury's concurrence, to take the Second Reading of the Bill on Monday. I hope earnestly that the rumour, which I had not myself heard, but which my noble Friend has referred to, that the delegates have come over with the desire of smoothing away difficulties, and if possible of assisting us in our efforts, may be correct. Certainly it is our hearty desire to co-operate as far as possible with the colony. I have seen, however, a statement in the newspapers that the delegates from Newfoundland or their agents would desire to be heard at the Bar of the House. I do not know at present whether that Report be true or not, and it will be time enough for us to consider whether that desire shall be acceded to or not when a Petition has been presented to Her Majesty's Government praying for that privilege. But I would point out what may not perhaps be understood, that the invariable practice has been, when parties have desired to be heard by Counsel, that the Bill should first be read a second time. That question was discussed in 1838 when a Bill was proposed to suspend the constitution of the Province of Lower Canada, and Mr. Grote then moved that Mr. Roebuck be heard at the Bar of the House of Commons as Counsel for the Province of Lower Canada. After some discussion it was decided that he should be heard after the Second Reading of the Bill;

Mr. Grote stating that he believed that it was the invariable practice that an agent could only be heard after the Second Reading of the Bill objected to had been agreed to. Again, in 1839, in the Jamaica case, the same course was adopted upon the understanding that Members assenting to the Second Reading of a Bill did not thereby pledge themselves to support it at a later stage. Therefore, by taking the Second Reading on Monday we shall in no way prevent the delegates being heard at the Bar of the House if it is decided that they should be so heard. I have made this explanation lest it might be thought that by the Second Reading being taken next Monday there was any desire to debar the Representatives of Newfoundland by removing the opportunity of their being heard.

*THE EARL OF KIMBERLEY: I should have been glad if my noble Friend could have made the day later; but if it is undoubtedly understood that we shall not be pledged beyond that, there is probably no objection to its being taken on Monday, and possibly the Marquess of Salisbury will be back by that date. I would also ask my noble Friend another question. On a previous occasion I asked him whether there were any Papers which could be presented to the House on the subject of the communications which passed between the Government of Newfoundland and that of the United States, but which had unfortunately to be broken off. I do not think those Papers have been presented, and it seems to me very desirable that, if possible, we should have the Papers on the subject before the Bill is read a second time, because, unfortunately, considerable irritation has been caused on this subject, upon which that correspondence bears, not directly, but indirectly.

*LORD KNUTSFORD: The Papers have been already laid before the House, and I may add that before Monday I hope also to be able to lay before your Lordships some further Papers regarding the main question affecting Newfoundland.

*THE EARL OF DUNRAVEN: May I express a hope that if the delegates from Newfoundland do Petition to be heard at the Bar of the House by Counsel Her Majesty's Government will consider further whether it is desirable in this case to follow the course which I think is in accordance with precedent, and take the Second Reading of the Bill before the delegates are heard. Of course, I am not acquainted with the various precedents in which parties have been heard by Counsel at the Bar of the House, but it appears to me that the present case is quite peculiar, because, as far as I understand it, what the delegates from Newfoundland are coming over to urge are objections not so much to details of the Bill, but to the principle of the Bill—in fact, to any legislation on the subject. It occurs to me that if that is so, and the delegates are heard at the Bar of the House, it would be somewhat out of place if the House has already assented to the principle of legislation by reading the Bill a second time; and that it would be more consistent if we first heard what objections they have to urge against the principle of the Bill.

*LORD KNUTSFORD: My Lords, I do not know whether I am in order in answering, but as far as I can judge it would be much better to follow what I have said Mr. Grote spoke of as the invariable precedent, and which was adopted by Sir Robert Peel in 1839, and other eminent persons—Lord Brougham and others in reference to former Bills. That precedent will probably be followed, but with the reservation that no Member is pledged to support the Bill at a future stage, because it has been read a second time, and before Counsel may have been heard at the Bar of the House.

ARMY SCHOOLS BILL. (No. 83.)
CHARITIES (RECOVERY) BILL. (No. 84.)
ELECTORAL DISABILITIES REMOVAL BILL. (No. 85.)

Brought from the Commons; read 1^a; and to be printed.

MERCHANDISE MARKS BILL.

Brought from the Commons; read 1^a; to be printed; and to be read 2^a on Tuesday next.—(*The Lord Balfour.*) (No. 86.)

MIDDLESEX REGISTRY BILL.

Brought from the Commons; Read 1^a; to be printed; and to be read 2^a on Thursday next.—(*The Lord Chancellor.*) (No. 87.)

SAVINGS BANKS BILL.

Brought from the Commons; read 1^a; and to be printed. (No. 88.)

House adjourned at five minutes past
Five o'clock, to Thursday next,
a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 14th April, 1891.

The House met at Two of the clock.

QUESTIONS.

BERMUDA DOCKYARD.

Mr. BROADHURST (Nottingham, W.): I had intended to ask the First Lord of the Admiralty whether he is aware that a shipwright has recently been placed in charge of the engines and machinery in the Bermuda Dockyard, and that the Inspector of Machinery at Bermuda recommended that an engineer should be appointed to the post; and, if so, whether he will cause an inquiry to be made into the circumstances which led to the appointment of a person who can have but little practical knowledge of the duties involved? In the absence of the noble Lord I will put the question on Thursday.

POSTCARDS.

Mr. BROADHURST): I beg to ask the Postmaster General whether he will give instructions that Post Office stamps shall not be impressed on the message side of postcards?

*The POSTMASTER GENERAL (Mr. Raikes, Cambridge University): It is already an instruction to postmasters that postcards are not to be stamped on the message side, and I shall be glad if the hon. Member will send me any cards stamped in disregard of this instruction which he may have received.

SCHOOL BOOKS IN ELEMENTARY SCHOOLS.

*Mr. HERMON-HODGE (Lancashire, Accrington): I beg to ask the Vice President of the Committee of Council on Education whether it is a fact that the parents of children attending elementary schools are frequently forced to purchase the school books from the schoolmasters at a higher price than they can buy them in the shops in the neighbourhood; whether it is also the fact that they are forced to provide new books for each child of their family for each standard, though they already have the books in good condition in their possession, and whether they are so forced by fear of punishment to the children?

The VICE PRESIDENT of the COUNCIL (Sir W. Hart Dyke, Kent, Dartford): No case of the kind, to my knowledge, has come under the notice of the Department; but if my hon. Friend will give me the facts upon which his information is based I will have full inquiry made into the circumstances.

*Mr. HERMON-HODGE: Is it not desirable that instructions should be given to the Inspectors to inquire into the matter?

Sir W. HART DYKE: I see no objection.

ROTHESAY SCHOOL BOARD.

Dr. CAMERON (Glasgow, College): I beg to ask the Lord Advocate whether the attention of the Scotch Education Department has been called to a report of the proceedings of the Rothesay School Board, published in the *Rothesay Express*, of the 8th instant, in which it is stated that—

> "The expenditure of the Board having been £138 less than the grant received, the Government would have deducted that amount from the grant unless it had been expended";

and that, therefore, the £138 had been given away as a bonus to the teachers; and whether the expenditure of the sum in question was necessary in order to enable the School Board to secure the grant which had been earned; and, if so, whether the Department will consider the propriety of amending its rules so as to do away with so obvious an incentive to the waste of public money?

*The LORD ADVOCATE (Mr. J. P. B. Robertson, Bute): The Scotch Education Department has not yet received the accounts of either of the schools under the Rothesay School Board for the school year just ended; but I am inclined to doubt the accuracy of the statement quoted, inasmuch as in previous years the expenses of these schools greatly exceeded the grant received, which had to be largely supplemented from local resources. In these circumstances, I am unable to say what expenditure was necessary in order to secure the grant. But I may remind the hon. Member that the rule which in certain circumstances limits the grant to the amount provided from other sources is not made by the Department, but is laid down by an Act of Parliament.

CRIMINAL CONSPIRACY.

Mr. E. ROBERTSON (Dundee): I beg to ask the Lord Advocate whether his attention has been called to the case of two men who were tried in the Sheriff Criminal Court, Glasgow, on the 30th of March, and found guilty of criminal conspiracy, on the ground that the accused, being members of a Trades Union, called out, or said they would call out, their fellow members unless a non-Unionist fellow workman was dismissed; whether his attention has been called to the comments of the learned Sheriff on the novelty of the charge, and his statement that its legality had been ascertained by the trial; and also to the ruling that the exemption from the Common Law of Conspiracy contained in "The Conspiracy and Protection to Property Act, 1875," does not extend to trade disputes between workmen; and whether, having regard to the great importance of the issues involved, he will consent to lay upon the Table an authentic Report of the proceedings, including the Sheriff's charge to the jury?

Mr. J. P. B. ROBERTSON: As the information to enable me to reply to this question has not yet reached me, I must ask the hon. and learned Member to postpone it until Thursday.

Mr. E. ROBERTSON: I will give it again on Friday.

POSTAL DELIVERIES IN EAST LONDON.

Mr. ISAACSON (Tower Hamlets, Stepney): I beg to ask the Postmaster General whether he will state the reason why the northern and eastern portions of the Metropolis are not included in the 7 o'clock delivery from the House of Commons?

*Mr. RAIKES: In answer to the hon. Member, I have to state that the 7 o'clock collection at the House of Commons Post Office for delivery in all the London districts, except the eastern and northern, was established about 20 years ago, and those two districts were excluded because the letters for them were found to be too few in number to justify the expense of their conveyance. I will, however, have inquiry made to ascertain whether there has since been a sufficient increase in the correspondence to justify the cost of including those districts in the arrangement.

Mr. ISAACSON: I may remind the right hon. Gentleman that the population of the East End of London is now something like 10 times as large as it was 20 years ago.

GWYLWYR SETT QUARRY.

Mr. LLOYD-GEORGE (Carnarvon, &c.): I beg to ask the Secretary to the Treasury what is the nature of the provisions contained in the lease of the Gwylwyr Sett Quarry, Carnarvonshire, for enforcing the effective working of the quarry by the lessee; and especially, what is the minimum number of men the lessee is called upon by the terms of his lease to keep employed upon the quarry?

The SECRETARY to the TREASURY (Mr. Jackson, Leeds, N.): I am informed that Clause 3 in the agreement makes provision for the efficient working of the quarry by the lessee, and requires it to be worked to the satisfaction of the lessor.

ARMY MEDICAL DEPARTMENT.

Mr. A. O'CONNOR (Donegal, E.): I beg to ask the Secretary of State for War whether any steps have yet been taken, in accordance with his promise of last year, to see for the public the adadvantages of open competition or limited competition for the supply of drugs and medical comforts and appliances and surgical instruments to the Army?

The FINANCIAL SECRETARY to the WAR OFFICE (Mr. Brodrick, Surrey, Guildford): The supply of drugs and medical appliances has been put up to limited competition, and the contract has fallen to Messrs. Herring. No change has as yet been made in regard to surgical instruments. Experience will show whether the public has gained by the change of system.

Mr. A. O'CONNOR: If the list was decided after considerable inquiry, how is it that the name of the best known firm in the trade was omitted?

Mr. BRODRICK: I cannot answer that question off-hand.

SAVINGS BANKS DEPARTMENT.

Mr. HOWELL (Bethnal Green, N.E.): I beg to ask the Postmaster General whether he has received repeated applications from Messrs. Mann and Harting, two Second Division clerks, to be re-transferred to the Savings Banks Department, from which they were removed in November last without cause for their removal being assigned; whether similar applications have been received from Messrs. Foord and Johnson, whose removal from the Department was stated to the House to be intended as a punishment in consequence of being suspected of communicating an official document to the Press; whether it is a fact that these two officers have received his assurance that he is satisfied that they were not responsible for such communication; if so, why they are still undergoing punishment for the alleged offence; and whether, having regard to the undermanned condition of the Department, the application of these officers to be re-instated is still refused?

*Mr. RAIKES: I have received the application referred to, but do not think it would be in the interest of the Public Service to re-assign the officers in question to the Savings Bank. I have accepted the assurance given by Messrs. Foord and Johnson; but it is not my intention to employ them again in that branch of the Service.

FOREIGN ENLISTMENT ACT—BRITISH SUBJECTS ON CHILIAN WARSHIPS.

Mr. DUNCAN (Barrow-in-Furness): I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government have taken steps to prevent the engagement of British subjects to serve as officers or crews on the vessels of war now being built and equipped in France to the order of the Government of Chili, one of which is reported to be on the point of departure from Havre; and whether it is true, as reported, that the French Government have prohibited the service of French subjects on these vessels?

The UNDER SECRETARY of STATE for FOREIGN AFFAIRS (Sir J. Fergusson, Manchester, N.E.): No steps have been taken of the nature indicated in the first paragraph of the question. It has not as yet been considered necessary to apply the provisions of the Foreign Enlistment Act under existing circumstances in Chili. No official information has been received to the effect stated in the last paragraph.

SCOTCH SHERIFF SUBSTITUTES.

Mr. CALDWELL (Glasgow, St. Rollox): I beg to ask the Lord Advocate whether he claims any right to review or to animadvert on the conduct of, or observations made by, a Sheriff Substitute in his judicial capacity in a civil case pending before him in the Small Debt Court in Scotland; if so, under what law or authority he makes the claim, and the extent of his claim; and whether he has powers to censure or dismiss without an Address to the Crown being carried in Parliament?

*Mr. J. P. B. ROBERTSON: The hon. Member is entirely mistaken in supposing that a Sheriff Substitute in Scotland cannot be dismissed from office without an Address to the Crown being carried in Parliament. Under the Statute 40 & 41 Vict., c. 50, he may be removed from office by the Secretary for Scotland for inability or misbehaviour upon a Report by the Lord President of the Court of Session and the Lord Justice Clerk for the time being. As regards the first part of the hon. Member's question, I have not in this case, on which I gave an answer yesterday, claimed any right in the matter, but merely stated to the House the facts of the case, and what I understood from his own statements and from the duties of his office to be the views of the Sheriff Substitute.

Mr. CALDWELL: Then I understand that the right hon. Gentleman has not given any official intimation upon the subject?

*Mr. J. P. B. ROBERTSON: I think I have sufficiently answered the question already.

BECHUANALAND.

Dr. CAMERON: I beg to ask the Under Secretary of State for the Colonies whether it is true, as is reported to have been last week stated by the Colonial Secretary of Cape Colony, that the Imperial Government has expressed its willingness to agree to the annexation of Bechuanaland by Cape Colony?

SIR J. FERGUSSON: Perhaps I may be allowed to answer the question. The incorporation at some time or other of the southern portion of Bechuanaland into the Cape Colony has always been contemplated since the first establishment of British authority in that country, but Her Majesty's Government have not at present decided to take any action. I may add that the telegraphic summary of the speech can hardly be accepted as correctly representing Mr. Sauer's remarks.

TRESPASS BY COTTARS IN LEWIS.

DR. CAMERON: I beg to ask the Lord Advocate whether his attention has been called to the fact that at the trial of 12 Lewis cottars, under the Trespass Act, for raids upon Orinsay and Stimrenay, the prosecuting Procurator Fiscal was Mr. John Ross, the private agent of Lady Matheson, proprietrix, and Mr. J. Martin, tenant, of the localities in respect of which the trespass was charged; and whether, considering the repeated declarations of Scottish Law Officers in this House as to the undesirability of Public Prosecutors, where it can be avoided, being allowed to engage in private practice, he will direct regular Procurator Fiscal Mr. William Ross to act personally in any other cases arising out of the recent raids?

*MR. J. P. B. ROBERTSON: I understand that Mr. John Ross, Depute Fiscal, conducted the prosecution in question, in the absence of Mr. William Ross, the Procurator Fiscal, who was engaged in other official duties. Lady Matheson's interest in the matter of the recent trespasses are being attended to by an Edinburgh solicitor unconnected with the Fiscal's firm, and not by Mr. John Ross. I have no doubt that the Procurator Fiscal will endeavour to take any remaining cases of this nature where this is possible. I entirely adhere to the Ministerial declarations referred to by the hon. Gentleman in regard to new appointments of Procurators Fiscal.

ILLITERATES AT THE NORTH SLIGO ELECTION.

MR. WEBSTER (St. Pancras, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that at the recent North Sligo election, owing to a large number of illiterate voters presenting themselves at one time at one polling station, the forms for illiterate votes ran short, and in consequence that polling booth had to be closed for a considerable period, and also that, when many of the voters presented themselves to vote as illiterates, long discussions arose between the personation agents of the two candidates as to whether the several claims to vote as illiterates were *bonâ fide* ones or not, and in consequence great delay arose; were any persons who had not taken the oath of secrecy permitted to remain in the polling stations while the illiterates' votes were being taken; and whether the Government propose to cause inquiry to be made into the subject?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The official Reports furnished to me do not afford the additional information asked, but I have directed a further inquiry to be made into the subject.

MR. WEBSTER: I will repeat the question at a later date.

LAND PURCHASE BILL.

MR. T. M. HEALY (Longford, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if it was by inadvertence that the clause providing permanent tenure for the Fair Rent Commissioners is inserted in the Purchase Bill, while the clause providing equality of salary for the Purchase Commissioners is inserted in the Land Department Bill; and will the Government undertake to treat the entire question of the *status* of the Commissioners connectively, and deal with it in the same Bill?

MR. A. J. BALFOUR: The settlement of the question of official tenure appears to the Government essential to any sound land purchase scheme. The question of alteration of salary evidently only arises if there is an alteration of duties. Now, the Bill we are at present discussing does not suggest any alteration of the duties of the Land Purchase Commissioners. This is done in the Land Department Bill, and it is on that Bill that the subject should, I think, be discussed.

MR. T. M. HEALY: Are we to understand that the Purchase Commissioners are to have all the powers of the Fair Rent Commissioners, and that the Fair Rent Commissioners are to have none of the powers of the Purchase Commissioners?

Mr. A. J. BALFOUR: No, Sir; we leave that question entirely on one side to be discussed when it is proposed to make an alteration. I think that will be the proper time to discuss the matter.

NEW WRIT

For the City of London, *v.* Thomas Charles Baring, esquire, deceased.—(*Mr. Akers-Douglas.*)

COMMONS.

Report from the Select Committee, with Minutes of Evidence, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 179.]

IRISH SOCIETY AND LONDON COMPANIES (IRISH ESTATES).

Ordered, That the Minutes of Evidence taken before the Select Committee on Irish Society and London Companies (Irish Estates) in Sessions 1889, 1890, referred to the Select Committee on Irish Society and London Companies (Irish Estates).—(*Mr. John Morley.*)

MOTIONS.

DIVORCE BILL.

On Motion of Mr. Hunter, Bill to amend the Law of Divorce in England, ordered to be brought in by Mr. Hunter, Mr. Asquith, Mr. Cobb, Mr. Fenwick, and Mr. Herbert Gardner.

Bill presented, and read first time. [Bill 281.]

POOR LAW GUARDIANS (IRELAND) (QUALIFICATION OF WOMEN) BILL.

On Motion of Mr. T. W. Russell, Bill to enable Women to act as Poor Law Guardians in Ireland, ordered to be brought in by Mr. T. W. Russell, Mr. Thomas Dickson, Mr. Lea, and Mr. Johnston.

Bill presented, and read first time. [Bill 282.]

SALMON FISHERIES (IRELAND) ACTS AMENDMENT BILL.

On Motion of Mr. Macartney, Bill to amend the Salmon Fisheries (Ireland) Acts, ordered to be brought in by Mr. Macartney, Mr. O'Neill, and Mr. Webb.

Bill presented, and read first time. [Bill 283.]

ORDERS OF THE DAY.

MAIL SHIPS BILL.—(No. 163.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed, "That Clause 4 stand part of the Bill."

(2.30.) Mr. T. M. HEALY (Longford, N.): I must protest against the practice which the Government have recently adopted of putting down Bills of this kind as the First Order of the Day at Morning Sittings. The Government ask hon. Members to give way at 12 o'clock at night, and having done so we find these Bills put down as the First Order on the next day, so that they may slip through without discussion. I look upon this as a most objectionable practice. The present Bill is a measure of great importance, and it contains many matters which are deserving of attention, but at present I do not wish to do more than raise a protest against the system. All I can say is, that if the Government intend to continue the same course, the result will be that hon. Members overnight will keep on their blocks, and the Government will not succeed in making progress with their business.

Question put, and agreed to.

Clause 5 agreed to.

Clause 6.

Amendment proposed,

In page 6, line 20, after "detained," to insert "and any legal proceeding in relation to any such matter as aforesaid may be commenced by such service in the United Kingdom of any writ or process as may be prescribed by rules of Court."—(*Sir J. Fergusson.*)

Question proposed, "That those words be there inserted."

Mr. T. M. HEALY: As these words deal with a special matter I think the Committee is entitled to some explanation of them.

*The UNDER SECRETARY of STATE for FOREIGN AFFAIRS (Sir J. Fergusson, Manchester, N.E.): The whole effect of the Amendment is to give the same advantages to British as to foreign ships.

Mr. T. M. HEALY: Is it likely to result in a convention?

*SIR J. FERGUSSON: Yes.

MR. T. M. HEALY: When were the terms of the Convention submitted? I want to know whether any agreement has been come to as to the terms of this Amendment.

*SIR J. FERGUSSON: The Convention has been weeks before the House. This Amendment was decided upon after the Bill was in print. It will be of advantage to British ships in giving a ready means of recovering damages against a foreign Mail steamer which may have caused damage. I can assure the hon. and learned Member that all the provisions of the Bill have been most carefully considered.

MR. CHANCE (Kilkenny, S.): In the event of a foreign ship committing damage to a British ship, will the same summary mode of procedure apply?

*SIR J. FERGUSSON: Certainly. All the obligations in the Bill are reciprocal, and the object of the measure is to prevent the detention of a Mail ship when a claim is made by entering into a permanent Mail bond.

(2.35.) MR. T. M. HEALY: That being so I cannot help thinking that it is most injudicious to introduce this provision, for this reason—that England owns more ships than any other country, and it is not to the advantage of this country to have a provision of this kind made reciprocal. It will undoubtedly give foreigners a great advantage over us against the very slight advantage which we can possibly obtain from them.

*SIR J. FERGUSSON: On the contrary, the provision will confer great advantages upon British interests over those which they at present enjoy. Hitherto, French mail ships have been free from arrest on account of their national character, but no British vessel will be placed under any disability not previously borne.

MR. CHANCE: This Amendment will enable any service to initiate proceedings. I have no doubt that the Judges would act with great discretion, but I think it would be desirable, as part of the service, to require some notice to be given to the Consulate of the country to which the ship belongs. I am sure that this must be intended, and that the omission is a mere slip. Perhaps the right hon. Gentleman will consider the matter before the Report.

SIR J. FERGUSSON: I shall be glad to consider it; but I can assure the hon. Gentleman that every line of the Bill has been most carefully considered by the legal advisers of the Crown. There is no need for the intervention of the Consul for the recovery of the damages, the parties having been heard in the suit.

Question put, and agreed to.

SIR J. FERGUSSON moved, in page 6, line 21, after "shall," to insert "in accordance with Rules of Court."

Question, "That those words be there inserted," put, and agreed to.

(2.38.) SIR J. FERGUSSON moved, in page 6, line 27, at the end of the clause to add—

"Where the Commissioners of Customs, in pursuance of any Act or as a condition of waiving any forfeiture, require a deposit to be made by any exempted Mail ship to which this section applies, the amount of such deposit shall, on notice from the Commissioners of Customs, and without any further proceeding, be set apart out of the security as money belonging to the said Commissioners, and shall be paid and applied as they direct, and any Rules of Court relating to such notice, payment, or application shall be made with the consent of the Treasury."

Question, "That those words be there inserted," put, and agreed to.

Clause 6, as amended, agreed to.

Clause 7 agreed to.

Clause 8.

SIR J. FERGUSSON moved, in line 3, after "Scotland," to insert "and the Court in which it is recovered may reduce the amount of such fine."

Question proposed, "That those words be there inserted."

MR. T. M. HEALY: I observe that so far as Scotland is concerned the Court is to have power to reduce the fine. Is that the present practice in Scotland?

*SIR J. FERGUSSON: It is intended that the practice shall be common to the United Kingdom generally. The amount of the fine can now be reduced.

(2.40.) MR. T. M. HEALY: It may not be the case in the Scotch Law, but in Irish Acts it is customary to say any fine may be recovered not exceeding a certain sum. The Bill does not impose upon the Scotch Courts the duty of inflicting a maximum fine; and why, therefore, insert these curious words, which will enable the Court to reduce the amount of the fine after it has been imposed?

*Sir J. FERGUSSON: The word "Scotland" does not govern the proviso, it will apply to all the Courts of the Kingdom.

Mr. T. M. HEALY: Then the Bill is drafted in a very curious manner.

Mr. CHANCE: The Amendment is open to two interpretations—first, that before judgment is given the Court, instead of imposing a fine of £50, may impose one of £40, £30, or £20; and, secondly, that after the Court has given judgment its jurisdiction shall not cease, but that it shall have the power to reduce the amount of the fine.

*Sir J. FERGUSSON: The Amendment has been suggested by the Judges of the Court of Admiralty, and I think the House ought to consider that sufficient.

Mr. T. M. HEALY: On the contrary, that is a reason which renders it suspicious, and, for my part, I protest against the manner in which Bills of this kind are brought in. It is most unfair, I think, to ask the right hon. Baronet to conduct such a Bill, and I beg to move that Progress be reported until the Attorney General can be present.

Question, "That the Chairman do report Progress, and ask leave to sit again," put, and agreed to.

Committee report Progress; to sit again upon Thursday.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

Amendment proposed, in page 1, line 13, to leave out the word "fifteen," and insert the word "ten."—*(Mr. Keay.)*

Question proposed, "That the word 'fifteen' stand part of the Clause."

(2.45.) Mr. SEXTON (Belfast, W.): I think the Committee are rather unfortunate to-day in the attendance of Ministers. It was very inconvenient to discuss the last Bill in the absence of the Attorney General, and as this Amendment ultimately concerns the Department of the Chancellor of the Exchequer I had expected to find the right hon. Gentleman present.

The CHIEF SECRETARY for IRELAND (Mr. A. J. Balfour, Manchester, E.): He is in the Library, and will be here in a moment.

Mr. SEXTON: The clause as it stands is justified on the solitary plea that the Government desire to create a Stock that shall be worth par value; but the Chancellor has not explained why the Government consider themselves under an obligation to give a Stock worth more than par value to the Irish landlords. Hitherto the Irish landlords have been the worst enemies of this country, and have brought nothing to it but trouble and disgrace, and I think they ought to be content to receive a Stock which stands on a level with any other class of funds whatever. The Government ought, I think, to have had regard for the present as well as for the future. It is abundantly clear, however, that they apprehend a depreciation in the value of Stock hereafter, and that they believe that 2¾ per cent. will be of no higher value in years to come than 2½ per cent. now. It is somewhat curious that in this Bill provision should be made for 2¾ for 30 years, while the best class of Government Stock stands at 2¾ per cent. for 12 years only, and then falls to 2½ per cent. The result will be that this particular kind of Stock will run considerably over par value before it comes to be redeemed. I have no wish to dogmatise, but I should like to submit two or three principles which ought to have some bearing on the case. In fixing the rate of interest on this Stock I think the Government are bound to consider the interests of the tenants, the fundholders, and the community. The tenants have suffered grievously and long from the policy of the State, and they are now entitled to such encouragement as the Government can give them. Such encouragement should be to place the annuity which they will have to pay at the lowest possible figure. The amount of interest to be paid to the stockholders measures the annuity which is to be paid by the tenant to the State, and if the Stock is issued at 2½ per cent. the tenant would be let off for a less annuity than 4 per cent. Therefore, I contend that we are acting unfairly to the tenant, while, at the same time, we are giving to the landlord too high a rate of interest. Then, again, I say that the Government ought also to consider the interests of the fundholders, and it is certain that Stock at 2½ per cent. will depreciate if a higher rate of interest is to be paid on this particular description of Stock. My contention is that you will depreciate the property of every man who has invested his money in the funds, and that the Irish landlords are not a class in whose interests you ought to inflict such a blow upon the fundholders. So far as the community are concerned, their interests will be best regarded by stimulating the creation of a peasant proprietary, and it is manifest that this can only be done by exacting a low rate of interest—that, in fact, the lower the interest the better will be the security. Possibly the Government may be inclined to accept a compromise upon the question. The right hon. Member for Wolverhampton (Mr. H. H. Fowler) has outlined one that is certainly deserving of consideration. What he asks is that we should not give the Irish landlords a better class of Stock than any other class of public funds, but simply as good a Stock, to be converted in 1903 to a Stock yielding dividends at the rate of 2½ per cent. I am disposed to think that if the Government are prepared to consider that proposal favourably, a lengthened discussion may be avoided.

(2.54.) MR. J. MORLEY (Newcastle-upon-Tyne): I think it would save the time of the Committee if the Amendment were withdrawn and the discussion were taken on the Amendment of my right hon. Friend the Member for Wolverhampton, which raises a broader issue than is involved in the Amendment before the Committee.

MR. CHANCE (Kilkenny, S.): Before that is done I think it is essential to know from the Chancellor of the Exchequer in what manner the Land Commissioners are to deal with this clause. They may deal with it in either of two ways. They may assume when authorising an advance that the Stock is worth par, or that it is to be taken at its market value; and the difference between the two might be a very serious one, because the landlord would get the benefit and not the tenant. I see no distinct direction to the Land Commissioners as to how they are to deal with the clause; and as the Bill is of a complicated character, I should like to have an explanation from the right hon. Gentleman.

MR. LABOUCHERE (Northampton): I think it would be convenient if my hon. Friend the Member for Elgin (Mr. Keay) were to withdraw his Amendment in favour of that of the right hon. Member for Wolverhampton, because the latter really places the Stock precisely in the same position as the present Two and Three Quarter per Cent. Consols.

*(2.56.) MR. KEAY (Elgin and Nairn): Under the circumstances, I am quite prepared to withdraw the Amendment; but before I do so, I think I am justified in complaining that for the third time the Government have absolutely refused to reply to a question which is essential to the consideration of the facts of the case. I find in *Hansard* a report of the speech of the Chancellor of the Exchequer when he brought forward his Conversion scheme. My Amendment recommends a Two and a Half per Cent. Stock, and in 1888 the right hon. Gentleman defended himself against proposing a Two and Three Quarters per Cent. Stock in consequence of the mere present price of a Two and a Half per Cent. Stock being 96. He said that he must look to the price of the Stock for 50 years to come, and the estimate which the public and he himself had formed as to what that price must be. The right hon. Gentleman was totally wrong in talking of 96 as the future value of the Two and a Half per Cents.: and so far as a Two and Three Quarters per Cent. security is concerned, the value of it would be a good deal more than par.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I did reply upon that point last night, and it is quite unnecessary that I should re-state the whole position.

*MR. KEAY: The right hon. Gentleman did reply to one of the points I urged last night; but to the main point he made no reply at all.

Mr. GOSCHEN: The hon. Gentleman is mistaken; I did reply.

*Mr. KEAY: Will the right hon. Gentleman tell the Committee what he believes the future value of British credit based upon a Two and a Half per Cent. Stock will be?

Mr. GOSCHEN: The point was whether or not in the course of years a 2½ per cent. conversion would stand in the same position as Consols. I hope the hon. Gentleman will withdraw his Amendment without further discussion.

*Mr. KEAY: I would willingly give way if the right hon. Gentleman would make any real reply. But what does he say?——

(3.5.) The CHAIRMAN: Order, order! I must warn the hon. Member that it is in the power of the Chair to put a Member to silence, and he is now laying himself open to a charge of tedious repetition in pressing an argument which he has announced his intention to withdraw.

*Mr. KEAY: I only wish I could get the chance of pressing my argument. I was endeavouring to quote *Hansard* in order to show what the view of the right hon. Gentleman was in regard to the value of the securities. The right hon. Gentleman said that he did not think we should secure the advantage to which the State was entitled if he were to convert the Stock into a permanent Two and Three Quarter per Cent. Stock, yet this is what he is now going to do for the Irish landlords. The right hon. Gentleman went on to say that the Stock ought to be reduced to 2¾ for a term of years, and then descend automatically, without any further action of Parliament, to 2½ per cent. That is what I maintain ought to be done in this case. It has been somewhat doubted whether or not these securities will be at par when they reach 2½ per cent. What does the right hon. Gentleman say? He says, "I will assume, but I will not grant, that the new Stock will not be above par." What, then, must be his estimate of what the price of a Two and Three Quarter per Cent. Stock will be, which is practically to be perpetual. [The Chancellor of the Exchequer dissented.] The right hon. Gentleman shakes his head. I quite admit that it is to be redeemable at 30 years, and that that fact diminishes the value of the Stock; but the right hon. Gentleman, speaking of the Two and a Half per Cent. Stock created by the right hon. Gentleman the Member for Edinburgh (Mr. Childers), stated that it had been most valuable to the Exchequer, and that he was desirous of securing the same advantage for the taxpayers of the country from the new Stock which he himself proposed to create. The right hon. Gentleman, in refusing to admit that 2½ per cent. is the future value of Stock at par, places himself on the horns of a dilemma. If, on the one hand, he confesses that 2½ per cent. will form a par security in the future, he thus cuts the ground away from under his feet in regard to the creation of a Two and Three Quarter per Cent. Stock for the Irish landlords. On the other hand, if he believes that Two and a Half per Cents. will be, as at present, at a discount, he must be prepared to admit that he has deceived a considerable number of innocent widows and orphans who took the "Goschens," as they are called, at par on his representations. The right hon. Gentleman said last night that it was necessary to keep the Stock in this way simply that it may be earmarked; but I fail to see how that affects this Amendment at all. It might be earmarked by calling it "Land Stock," or it might be printed on pink paper in order to show its sporting character. On these grounds I venture to say that the reply which the right hon. Gentleman gave last night was insufficient to establish a case for the rejection of the Amendment.

(3.15.) Mr. GOSCHEN: I and the Committee generally agreed with the suggestion of the right hon. Member for Newcastle (Mr. J. Morley) that this discussion should be taken on the Amendment of the right hon. Member for Wolverhampton, but I did not know that the penalty we should have to pay for the conception would be to hear the whole speech of the hon. Member for Elgin repeated over again. Nor did I ever, throughout the whole of my Parliamentary experience, find an hon. Member who was as anxious as the hon. Gentleman is that the last word should be given to his opponent. He always seems to think that every argument he employs must be replied to. I can assure the hon. Gentleman that it would be a rather novel proceeding to take stock of every argument which an hon. Member is pleased to address to a Committee, and for the hon. Member to threaten to report Progress if each of them is not answered *seriatim.* I did reply to the hon. Member last night, but only briefly, because I was anxious to save time. The point which he raised was why this Stock should have a higher rate of interest than Consols, and I pointed out that small separate Stocks never commanded so high a price in the market as the great Stocks of the country. I prefer, however, to give the fuller answer which the case requires on the next Amendment, which stands in the name of the right hon. Member for Wolverhampton.

*(3.18.) MR. KEAY : I do not think that I deserve the strictures of the right hon. Gentleman ; I have raised no objection to anything that has occurred on the other side of the House except that distinct questions, which were undoubtedly germane to the issue before the Committee were not noticed or replied to. I beg now to withdraw the Amendment, but in doing so I wish to remind the Committee, that up to this moment the right hon. Gentleman has not said a word in reply to the one essential question whether or not this new Stock at 2½ per cent. is, in his opinion, to represent Stock at par value generally in future time ?

MR. CHANCE : I wish the Chancellor of the Exchequer would answer the question whether, in making advances to the landlord, the Land Commissioners are to be bound to treat this Stock at its par value or to deal with it at its market price ?

MR. GOSCHEN : The Land Commissioners will take all the circumstances of a case into their consideration, and will see whether the State is secure on the terms on which the advance is granted. Whatever is the price of the Stock, that would have some influence on the number of years' purchase the landlord would take.

MR. CHANCE : Then am I to understand that where the Stock is perceptibly below par you are really requiring the tenant to pay somewhat more than 4 per cent. ? Is that so ?

MR. GOSCHEN : If we were to give the landlord Stock very much above par he would have to take so much less himself, or to give less favourable terms to the tenant. If you depreciate the value of the Stock you will render the progress of land purchase in Ireland on reasonable terms more difficult.

Amendment, by leave, withdrawn.

(3.22.) MR. H. H. FOWLER (Wolverhampton, E.) : I beg to move to insert, after "capital," the words—

> "Until the first day of June one thousand nine hundred and three, and thereafter yielding dividends at the rate of two pounds ten shillings per cent. per annum."

I am afraid that it will be necessary to repeat, although I shall do so very shortly, what has been said already. The Amendment which has just been withdrawn was virtually to give the Irish landlord a Stock inferior to English Consols, whereas the Chancellor of the Exchequer proposes to give the Irish landlord a Stock superior to English Consols. My Amendment proposes to give to the Irish landlord a Stock that shall be the same as English Consols, and the words of the Amendment are taken from the original Conversion Act. The Chancellor of the Exchequer stated last night, and has repeated to-day, that the Government wish to secure an even field between the landlord on the one side and the tenant on the other. That is my justification for the Amendment. I have no wish to attempt to cut off any portion of the value of the purchase money by giving the landlord something less than its par value; but, at the same time, I have no desire to give him anything more. The object of the Bill is to encourage the principle of purchase, and it provides the means by which that is to be effected. If the landlord is entitled to receive £100 or £1,000, as the case may be, we are bound to give him what is equivalent to that, and nothing more. The Chancellor of the Exchequer says he is anxious to give the landlord par value, and what I say is that if the conversion scheme is founded on a right basis it is founded on this principle : that the creditor of the English Government is entitled to receive 100 sovereigns for every £100 of debt he holds. In lieu of these 100 sovereigns, I propose to give him Stock which for 12 years will bear 2¾ per cent. interest, and which for the remainder of a certain period will stand at 2½ per cent. The right hon. Gentleman says that is equivalent to £100. If it is not so, a gross injustice has been done to fundholders. What the English fundholder was told, both by his broker, by the English Government, and by the experts, was that in the probable future state of the English Money Market, the Government Stock would bear interest, first at 2¾ per cent and then at 2½ per cent., and that such Stock was worth £100. Upon that basis the conversion proceeded. The Stock stands now at 96.

Mr. GOSCHEN: We are not to deal with the temporary value. I do not press that part of the argument.

Mr. H. H. FOWLER: I appreciate the force of that remark. There is a practical admission that this Stock will be worth £100 to the Irish landlord. The Chancellor of the Exchequer meets the proposition I make in two ways, if I understand him aright. He says that a small Stock does not command as high a price as a large Stock. I do not like to question the authority of the right hon. Gentleman, but I am bound to say that experience, and especially that of an English railway, points the other way. A small Stock, where there are a limited number of people selling, will command a higher price than a larger Stock. If the Chancellor of the Exchequer is right, why not give the Irish landlords Consols? I think the argument of the hon. Member for Northampton (Mr. Labouchere) last night was unanswerable. Why say to the Irish landlord, "We are going to give you Stock; we believe that the market will be a limited one, and we therefore give you a higher rate of interest in order to compensate you." That interest must come out of the pocket of somebody—either the State, the tenant, or the public. Then why not give the Irish landlord Consols at once? The right hon. Gentleman says, "If you do that you will interfere with another part of my scheme. I want to earmark the new Stock"; but my rejoinder to that is that it is simply a question of professional book-keeping. I am not urging this from the point of view of depriving the landlord of a penny of his purchase money, nor do I wish by my Amendment to improve the terms for the Irish tenant. I believe the terms given under the Bill constitute a boon of great magnitude, and one which Parliament is not called upon to increase. Out of the £4 payable by the tenant on every £100 of the advance, £2 15s. is applied to the payment of interest, £1 is payable to the Sinking Fund, and 5s. is paid into the Local Taxation Account, with a specific enactment in favour of the appropriation of the sum for the benefit of Irish labourers' cottages. To this extent there is an endowment of Irish local taxation, and, as has been pointed out, the 5s. in the £4 represents a total sum of £75,000 a year. The effect of my Amendment would not be a reduction to the Irish tenant: it merely provides that when the interest on the land comes down to £2 10s. per cent. there will be 10s. per cent. to pay to the Local Authorities. Thus Irish local taxation will be strengthened and British credit will be used for the benefit of the community at large. I wish to know why, in paying this specific purchase money, there is to be given to the Irish landlords for £100 what is worth more than £100? Why should the Irish landlords be placed in a better position than that in which the deserving English middle class were placed by the conversion scheme? In that case the contention was that £2 10s. paid annually by Government was worth £100. I am afraid I have to some extent gone over ground already traversed, and, now, I put this proposition before the Committee as one of purely financial opinion, not mixing it up in any way with the rights and wrongs of Irish landlords or Irish tenants. When a hundred sovereigns are paid to an Irish landlord, why should not this be subject to the same conditions as when English creditors of the State were paid in Two and a Half per Cent. Stock?

Amendment proposed,

In page 1, line 14, after the word "capital," to insert the words "until the first day of June, one thousand nine hundred and three, and thereafter yielding dividends at the rate of two pounds ten shillings per cent. per annum."—(*Mr. Henry H. Fowler.*)

Question proposed, "That those words be there inserted."

(3.35.) Mr. GOSCHEN: I appreciate the tone in which the right hon. Gentleman has spoken. I also appreciate the way in which the right hon. Gentleman and others have spoken of the conversion scheme. I wish to make it absolutely clear that, in my opinion, this Two and Three Quarter per Cent. Stock will be about par, and nothing more. This is the conscientious view of the Government, though it may prove to be erroneous. The right hon. Gentleman very fairly asks why the Stock should not be equal to Consols if the terms are the same; and the right hon. Gentleman is of opinion that a small Stock always commands a higher price than a large Stock. That view may be right with regard to Railway Stock. but it is not right with regard to Public Funds. A large Stock suits the market best, because of the rapidity of the transactions. Consols are used, not only for investment, but as the basis of loans which are constantly taking place. Therefore it has happened that in the Public Funds no smaller Stock with the same guaranteed security has ever been equal to Consols. The Government have accordingly, in all good faith, come to the conclusion that the Stock to be issued in connection with the Bill would not be equal to Consols. The right hon. Gentleman next asks, very properly, why Consols were not given in these circumstances. I feel confident that if the Government had proposed to issue Consols a totally different set of arguments would have been brought against the scheme. Having regard to the future, I have felt that the country ought to have clearly and constantly before it what the proposed operation is, and that the operation should not be mixed up with Consols. I wish to keep before the public eye how from year to year the Stock has either decreased or increased, and I believe, therefore, that the best plan is to keep the Stock, like Local Loan Stock, as a separate operation. I have held the same view with regard to all Stock which is represented by assets; and I have always been of opinion that the proper financial measure to take is to separate that Stock on which there is to be repayment from that on which there is not to be repayment. At all events, the right hon. Gentleman will admit that the Government in these two matters have not acted hastily, but on a settled policy. Then as to the value of the Stock. Hon. Members have argued as if the Stock in question were a Stock of 2¾ per cent. for 49 years. But there are conditions under which the Stock is redeemable in 30 years; and, of course, if this Stock should be at a premium 30 years hence, any Chancellor of the Exchequer would borrow money at the rate of 2½ per cent., and would pay off this sum. The difference between this Stock and Consols is that Consols at 2¾ have 14 years to run, and the stock created under the Bill has 30 years to run at 2¾. I do not myself believe—though I should be glad if the contrary were to prove true—that the Stock will stand high. If it does, it will facilitate transactions between landlord and tenant, but it is in no such expectations that the Stock is created. I wish to point out to hon. Members who are sincerely desirous of passing the Bill, this fact: Supposing the Government were to give to the landlords a Stock which during the next few years was 4 or 5 per cent. below par, an impediment in the way of purchase would be set up. [Mr. T. M. HEALY: No, no. It does not matter to the tenant.] Hon. Members must see that the offer of the landlord to the tenant will depend upon the revenue which the landlord will be able to derive from the Stock.

MR. T. M. HEALY (Longford, N.): That depends on the Local Land League.

MR. GOSCHEN: It will depend upon whose influence is supreme in Ireland at that time; but I notice that, according to the hon. Gentleman, the Land League is to be continued after the next General Election; and that, if right hon. Gentlemen opposite should succeed to power, the Local Land League is to have the same power as in earlier days. The Government have not regarded the matter from that point of view. Supposing, as an extreme case, we were to give the landlord paper that was worth, say, 9 or 10 per cent. Surely hon. Members must see that that would have the effect of preventing sales from taking place. The landlords are free to act in this matter—whether to sell or not to sell, and it is not as if the tenants had to agree to buy or not. Therefore the placing of British credit wholly at the disposal of the guarantee will the more easily enable the purchases to take place.

The lower we place that credit the less use we make of it—that is to say, the lower the Stock the less likely we shall be to attain the object in view, the more we shall hinder the operation of the Bill, and the less able will the tenants be to get terms from the landlords. What the Government wish is that the landlord should be in such a position that he can and will sell, and hon. Members will remember that, as matters stand, the land revenue of the landlords will be considerably reduced after this Bill is passed. In many cases the landlord will not get more than half the gross rent he now obtains; and if we still further gave him Stock which will be 5 or 6 per cent. below par, shall we not again diminish the return he will get? We shall be removing from him the inducement to sell, and the reduction will be no advantage to the landlord or the tenant. The Government are not placing any loss upon the State by putting 2¾ into the Bill. With regard to any advantage to the Local Authorities, that must rest on the general desire of hon. Members opposite whether they wish to lessen the temptations to sales between landlord and tenant in order to increase the amount to be paid to the locality. What the Government desire is that the Bill should work, and we believe the rate we have fixed will make it work. In those circumstances, we are of opinion that anything that would tend largely or seriously to diminish the amount of Stock, as we have put it, would be an impediment to the working of the measure, would be a disadvantage to the tenant, and would confer no advantage on the taxpayer. I understand it is now the feeling in all parts of the House that the benefit accruing from the Bill should go only to Ireland in one form or another, and, that being so, it becomes a question between the tenants and Local Authorities of Ireland. It appears to the Government that the inducements both to the tenants to buy and the landlords to sell, large as they are, ought not to be diminished by any change in the framework of the Bill.

(3.53.) COLONEL NOLAN (Galway, N.): There is one point which arose last night, and to which I attach more importance than the Chancellor of the Exchequer has given it. I say, emphatically, that the higher the interest on the Stock the better it will be for the tenant. That I take to be beyond argument. For my own part, I object to any money going to the Local Authorities; and I intend to move an Amendment exempting small holdings from contributing to any fund, even for the labourers. It is an elementary principle of finance that it is better to issue at par than below par. I am quite aware that some States pursue a contrary policy, but not, I think, those whose credit stands high; and though Pitt did the same thing in days gone by, I think it is now acknowledged he made a blunder. I repeat, that to issue the Stock below par would be a disadvantage to the tenants.

(3.57.) MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I do not intend to pursue this subject at length, but I desire to say a few words with reference to the statement of the right hon. Gentleman. The chief argument of the Chancellor of the Exchequer is that the landlord, in selling his land, will look to the revenue—to the interest he will receive on the capital—in order to see how far he will be recouped for the rents he gives up. I believe, however, that the landlord will look rather to the capital value of the Stock than to the actual interest he will receive, and that it will be his desire to hold the Stock, whether it is Land Stock or Consols. He will look at the price at which he can sell the Stock rather than at the actual revenue it brings in. Nobody at present can tell what the value of the Land Stock will be; and I should have thought an Irish landlord would prefer to have Consols offered him rather than a Stock of which he does not know the value.

MR. GOSCHEN: Judging from precedent, the value of the Stock will stand between the price of the Local Loan Stock and the price of Consols.

MR. SYDNEY BUXTON: The right hon. Gentleman's interposition shows, at all events, that no one knows what will be the price of the Stock. The landlord would prefer a Stock of which he knows the price. I think the right hon. Gentleman ought to remember that half of those who take the Stock will desire rather to sell it than to hold it, and if there are a large number of sales of a small Stock like this, which is not very negotiable, it will be likely to put the price down below what it would if it were a large Stock, like Consols. The Chancellor of the Exchequer somewhat naturally wants to keep all these arrangements in reference to Land Stock separate from our great National Debt, and to that extent I think we all agree with him. But, as the right hon. Gentleman the Member for Wolverhampton pointed out, that after all is simply a matter of book-keeping. The interest on the Stock will have to be found through the National Debt Commissioners, just as in the case of Consols, and it is simply a question of book-keeping, and not a matter of real practical importance. The question for us is whether it is worth while charging this Stock with the extra ¼ per cent. in order to keep it distinct from Consols, when we believe it would be better if it were put into Consols. The hon. and gallant Member for Galway (Colonel Nolan) said he would not be a party to anything which would go to benefit the locality at the expense of the small tenant. The Chancellor of the Exchequer said this is a matter simply between the tenant and the locality. I think it is to be remembered that, as far as the English taxpayers are concerned, we wish to get the locality the largest possible interest in the re-payment of the fund. We want to do what the right hon. Gentleman the Member for Mid Lothian did in his Bill, and make it to the interest of the locality to see that the tenants pay their debts to the State. We therefore think it will be of advantage to the taxpayers as well as of advantage to Ireland itself that the locality should have such an interest in the re-payment. The Government do not give us the real reason why they oppose this proposal; the fact is that they do not want it to appear to the public at large—as it would if they simply issued Consols—that the English taxpayers are practically guaranteeing the interest to the landlords. That is the real reason why they decline to accept the Amendment. It seems to me that the financial arguments used by my hon. Friend and others have been entirely in favour of issuing one large Stock instead of these little un-negotiable Stocks.

Mr. Sydney Buxton

(4.5.) SIR W. HARCOURT (Derby): I only rise to notice one remarkable statement made by the Chancellor of the Exchequer. He spoke of the disadvantage under which the Stock would be placed if it went down to £5 or £6 below par. That is his estimation of a Stock which would rest exactly on the same footing as his own Consols. I suppose, then, that is his estimate of the future of Consols.

MR. GOSCHEN: The right hon. Gentleman was not in the House when I pointed out the difference.

SIR W. HARCOURT: Of course, I know the right hon. Gentleman pointed out that one Stock was larger than another. That may have a small effect, but it will only be a small one. The right hon. Gentleman, in order to support the proposal he has made, talks about the Stock being 5 or 6 below par.

MR. GOSCHEN: I do not think the right hon. Gentleman would wish to misrepresent me. I simply made an assumption for the purpose. I never suggested that the Stock would be 5 or 6 below par.

SIR W. HARCOURT: Then let us get rid of the assumption for the sake of argument. The assumption was used to support an argument, and if the assumption disappears the argument disappears with it. I saw an article a few weeks ago in the *Economist* criticising the financial ingenuity of the Chancellor of the Exchequer and his extreme love of creating a quantity of new Stocks. It seems that now, to the great heavenly body of the National Debt, the right hon. Gentleman is adding a number of satellites to revolve round it. It seems to me there is very great inconvenience in this multiplication of accounts. The great object of the original Consolidated Fund was that there should be one great Stock, and that the National Debt should be one single item, as far as possible, in which the country would have to deal. I congratulate the right hon. Gentleman on his great success in the creation of the Stock which is now Consolidated Stock of the United Kingdom, by his conversion scheme, but that he should follow that up by immediately creating a new Stock on different terms is, I think, an unfortunate experiment in finance. These are the financial considerations which, I think, weigh against this proposal.

But the hon. Gentleman who has just sat down pointed out another. You may argue as you please as to what terms shall be made between the landlord and tenant, but there is this intelligible thing which will be known to everyone, namely, that the Stock you have offered to the Irish landlord in respect of this great experiment of purchase, is a Stock of higher value and at a higher rate than Consols. That will be a fact perfectly understanded of the people. I regard that as a great objection in a proposal of this character, and, therefore, I shall certainly vote for the proposal of my right hon. Friend.

(4.12.) MR. LABOUCHERE: I do not wish on this question to speak in anything of a Party spirit, but I am bound to say I regard this as a fad of the Chancellor of the Exchequer, that may cost the country £75,000 per annum. The right hon. Gentleman the Member for Wolverhampton put the thing clearly. He said he was not entering into the question of whether the landlord would profit or whether the tenant would profit. He simply asserted that it was the business of the Chancellor of the Exchequer to get the money in the cheapest manner possible. When the right hon. Gentleman the Chancellor of the Exchequer rose, he tried to drag a quantity of red herrings across this trail, and we have for some time been discussing the position of the landlord and tenant—a very interesting question, no doubt, but not the point raised by the right hon. Gentleman the Member for Wolverhampton. Why does the Chancellor of the Exchequer want this separate Stock? He says he wants it in order that this money should not be mixed up with the general debt of the country, but should remain before the eyes of the country? Well, is it worth while to tax the people £75,000 per annum, in order that this fund should remain before the eyes of the country? It will be really a most costly spectacle.

MR. GOSCHEN: I do not understand where the hon. Member gets his £75,000.

MR. LABOUCHERE: I get it as the amount which would accrue after, say, 14 years. To anybody but the Chancellor of the Exchequer—who deals in millions—£75,000 a year is a very handsome sum, which we could save. The whole reply—I cannot, with all respect to the Chancellor of the Exchequer, call it an argument—of the right hon. Gentleman was this fancy and fad of "keeping the matter before the eyes of the public." He said last night, and again the first thing this afternoon, that it is necessary to keep this Stock separate in order to carry out the objects of the Bill. He has given that up now. He knows perfectly well that it is really a question of book-keeping. You always keep the Stocks separate, as between the Land Commission and the Exchequer, and you may keep them separate, as between the the public in their relations as buyers and sellers of this Stock. I hope the House will stand by what has been said by my right hon. Friend the Member for Wolverhampton, and will vote with him, putting aside all questions of where the money is to go to, unless the Chancellor of the Exchequer can give us some more valid reason for making this separate stock.

(4.19.) MR. SEXTON: The Chancellor of the Exchequer, in his otherwise clever speech, has left the question of the future value of this Land Stock in rather a vague condition. I should have expected him to deal with it more precisely. He believes, because the Stock will be what he calls a small and separate Stock, that it is not likely to stand on a parity with Consols. But it will not be a small Stock. Some day it will be £30,000,000. I would point out that Two and a Half per Cents. are small Stock, relatively to Consols, but that does not prevent Two and a half per Cents., though a $\frac{1}{4}$ per cent. lower than Consols, being close to Consols in market price. It does not, therefore, appear that the smallness of the Stock is a reason against its having a high value. As to the question of separate Stock, why need it be separate? I see no reason why this Land Stock should not be merged in Consols. The right hon. Gentleman points out that there are no assets against Consols, whereas there are assets against these Stocks. But that is a question of book-keeping. The main question before the Committee is not that of assets, but the liability of the country to the stockholder. This Stock will be held by a great many persons, for the Irish landlords will, generally, be ready to invest in it, and I say, therefore, that from the largeness of the amount and the plurality of the ownership it will command the largest price corresponding with its value, and I conclude that the Land Stock in future years will be of more value than Consols. I say that that is a Stock you have no right to give to the Irish landlords, because, by doing so, you will be inflicting a wrong on the whole of the country. The hon. and gallant Gentleman the Member for Galway has assured me that I shall have his vote if I can extract from the Government a promise that the amount of the savings will be given to the Irish tenant.

COLONEL NOLAN: I spoke of a promise from the Opposition.

MR. SEXTON: I am afraid I must throw back the overture to the hon. and gallant Gentleman. At the present moment—and I hope this is only a temporary condition of things—the hon. and gallant gentleman is in a better position for obtaining pledges from the Government than I am.

COLONEL NOLAN: I said the Opposition.

MR. SEXTON: The Front Opposition Bench are not in a position to give effective pledges in reference to this Bill, and I must assume, therefore, that the hon. and gallant Gentleman's observations were directed to the Government. The hon. and gallant Gentleman has got in this subject, it appears to me, considerably out of his depth. He has made to-night one of the most extraordinary proposals I ever heard. He has actually laid down the principle that the higher the interest you give the landlord for his Stock the better it will be for the Irish tenant.

COLONEL NOLAN: Provided he pays 4 per cent.

MR. SEXTON: The hon. and gallant Member should remember that the chief figure in measuring the interest is the amount paid to the stockholder. The inference to be drawn from the hon. and gallant Member's speech is, that if the State pays a high interest to the landlord, the landlord's sense of equity is so nice that he will extend the benefit to the tenant.

COLONEL NOLAN: I never said anything of the kind.

MR. SEXTON: That was the inference I drew from the hon. and gallant Member's speech. The Bill fixes the annual value of the holding. What will be the position of the transaction? The landlord will endeavour to get as many years' purchase as he can. I do not think that the rate of interest on the Stock or the price of the Stock in the market will have any material influence on the price of the holding. The annual value of the holding will be determined by the Bill, and the landlord will try to get as much as he can, no matter what may be the interest on the Stock or the value of the Stock in the market. It is clear, therefore, that the price of a farm will be determined by figures other than the value of the Stock; and if you tell me that if the landlord gets 6 per cent. on the Stock, he will be disposed to sell his farm to the tenant for half the money he would have wanted if the interest he had got had only been 3 per cent, I say the statement is monstrously absurd. I say the lower the interest on the Stock, provided the landlord accepts the Stock at all—and he will accept it if it is Consuls—the better it will be for the tenant. And why? For a reason lucidly stated by the Chancellor of the Exchequer—that the State makes no profit in the case. The annuity of the tenant is measured chiefly by the interest of the stockholder. If this amendment is carried one of two consequences will follow. Either the annuity of the tenant will have to be reduced from £4 to £3 15s., which I should hail as a great boon, or else the county percentage which goes to local uses, either relief of rates or erection of labourers' cottages, will have to be increased from 5s. to 10s. for every £100 lent under the Bill. I should prefer that the annuities of the tenants should be reduced, because I think the main interest of all classes in Ireland is to stimulate transactions under the Bill. At the same time if I were defeated in that I should be glad to see the relief given in the other direction; but I challenge my hon. and gallant Friend to say that in either case the acceptance of the Amendment would not be followed by a distinct advantage.

(4.25.) MR. SHAW LEFEVRE (Bradford, Central): I should like to know what would be the real nature of the Stock. One Stock will amount to £30,000,000, created from time to time, but all of the same kind, and redeemable in 30 years. Is that so, or will there be a fresh Stock created, whenever a fresh purchase is effected, redeemable in 30 years from the date of the purchase? There is a difference according to the meaning attached to the language adopted. In the one case the purchasers, five or six years hence, will get paid in a Stock of somewhat less value than those who are paid immediately on the passing of the Act. On the other hand, if a new Stock is to be created, redeemable at the end of 30 years after purchase, there will be a creation of separate kinds of Stock in respect of which there will be different prices. Which of these two systems does the right hon. Gentleman propose to adopt?

(4.26.) Mr. GOSCHEN: It is intended that there shall be one Stock, and I think the right hon. Gentleman will see how extremely important it is that there should be one Stock, so as to enable transactions to take place as between bankers and others. Ultimately it will be a large Stock, but for some time it may be a small one; but whatever arguments hon. or right hon. Gentlemen may bring against it, everyone seems to me to agree that there should only be one Stock. I had not omitted to consider the question. The Stock may be higher or lower, but however that is it will adjust itself to the purchases. If it is lower the landlord will ask for more years' purchase; if it is higher the tenant will have so many less years' purchase. Our desire is that it shall be as near as possible at par. I cannot go beyond this and enter into prophecy, a responsibility which no Chancellor of the Exchequer ought to undertake.

(4.28.) Mr. W. E. GLADSTONE Edinburgh, Mid Lothian): The Chancellor of the Exchequer has now explained to the House clearly what the character of this Stock is to be; and, unquestionably, as between the one alternative and the other, I should think he has taken the right one—but still one which lands him in enormous difficulties. The first difficulty that arises is this: The Chancellor of the Exchequer, of course, sees that the value of this Stock will vary according to the number of years for which the higher rate of interest has to run certain. Where it is to run certain for 30 years, the value of the Stock will be higher; where it is to run for 20, 10, or 5 years the value of the Stock will be materially lower. The meaning of that is that the landlords of Ireland are to receive for their property different rates of compensation from the State.

Mr. GOSCHEN: Not from the State, but from the tenant.

Mr. W. E. GLADSTONE: The Stock in which the landlords are to be paid will be of different values in each succeeding year. It will be of a continually descending value. But the Chancellor of the Exchequer says it will not come from the State, but the tenant. What has the property of the tenant got to do with the Stock? Does the right hon. Gentleman mean that the Land Commissioners, in fixing the number of years purchase that each estate is to be worth, are to take into view this sliding scale? The doctrine of the sliding scale is so perplexing and confusing that I can hardly understand it to be the intention of the Government to adopt it. Are the Land Commissioners to say, "This estate would have been worth 18 years' purchase if the landlord were to be paid in a Stock that had 30 years to run at £2 15s. per cent.; but as he is only going to be paid in a Stock that has 15 years certain to run it is worth 20 years' purchase." The number of years' purchase which an estate is worth ought to be governed by a fixed and certain standard, and ought to have no reference whatever to the change of interest.

The CHAIRMAN: Order, order! The right hon. Member for West Bradford has asked a question, and the answer has been given. The question does not arise on the Amendment whether the reduction will be made 12 or 30 years hence.

Mr. W. E. GLADSTONE: The whole subject is a very difficult one, but I have no doubt that you are quite right. I think, however, that you will find that the result of this discussion will be to show that it is a mistake altogether to create these differences of Stock. If we are going to have these estates bought by the Irish occupiers, the only mode of proceeding is to give the landlords a Stock created in the way suggested by my right hon. Friend, or a Stock which is equivalent to Consols in the market. Whatever course may be pursued, I am quite certain that there must be some time or other when this matter will have to be fully discussed, because it is most relevant to the purpose of the Bill. The right hon. Gentleman opposite must see that he has presented most serious dilemmas to the Committee, and has afforded no solution of them.

Mr. GOSCHEN: The right hon. Member for Mid Lothian has suggested that the Government introduce a fresh complication in fixing, as he said, the price of purchase by the Land Commissioners. But the Land Commissioners do not fix the purchase at all; they merely ratify the purchases which are made.

Mr. W. E. GLADSTONE: There is a standard of approval.

Mr. GOSCHEN: There is no standard whatever. All that the Commissioners have to do is to see that the purchase is such that satisfactory security is obtained by the State. That ought not to be in any way regarded as applying to the number of years' purchase, and all that the Commissioners have to look to is to see whether the security is sound.

(4.34.) Sir W. HARCOURT: Surely the answer of the Chancellor of the Exchequer is a fallacy. What is it that the Land Commissioners do? They determine what is a fair and safe bargain between the landlord and tenant. The number of years' purchase as well as other matters will have to be considered. Therefore, if, in consequence of the Stocks varying in price, the price agreed upon between the landlord and tenant varies, why, of course, the judgment of the Land Commissioners is based upon that bargain so made. The main argument which the Chancellor of the Exchequer used with reference to the variation at future periods in the value of this Stock, cuts from under him the whole ground upon which he has based his objections to my right hon. Friend's proposal. The Chancellor of the Exchequer said it was quite true that this Stock at future times might vary in value, but that in time the parties would accommodate themselves to that variation in value. If that be the case, why should they not accommodate themselves to the present value of Consols? Every argument, therefore, which the Chancellor of the Exchequer has used is in favour of the right hon. Gentleman's Amendment. All that part of the argument which relates to the creation of Stock to bear par value disappears. If the Stock is now at par value, it is quite plain that it might be something below par value next year. ["No, no."] I do not understand the hon. Member saying "No." If the number of years for which the interest is granted affects the value of the Stock, then, as the number of years diminish, the value of the Stock must diminish. I should have thought that anybody who understood the elements of the question would have understood that. My right hon. Friend the Member for Mid Lothian observes that it is a perpetually descending scale. ["No."] There is no use in saying "No." The hon. Member might just as well say "No" to the proposition that twice two make four. It is quite plain, and the Chancellor of the Exchequer does not deny it, that 10 years hence the Stock must be of less value than it is now, because there will be only 20, instead of 30, years' value attaching to it, and so it will go on from time to time, and we will have, as the right hon. Member for Mid Lothian said, a sliding scale established. The argument of the Chancellor of the Exchequer is that all parties should accommodate themselves to the alteration in the value. Why should they not accommodate themselves to the value of Consols now? The whole answer of the Chancellor of the Exchequer is practically in support of the Amendment.

(4.40.) The Committee divided:—Ayes 144; Noes 209.—(Div. List, No. 130.)

*(4.51.) Mr. KEAY: The Amendment which I now propose to move is in line 16,

> To leave out from the word "after," to the word "redemption," in line 20, inclusive, and insert "for the purpose of paying off the whole of the Land Stock at or before the expiration of the time at which the purchase annuities hereinafter mentioned will cease."

The general object of this Amendment may be said to be of the same character as that of the last, namely, to endeavour to secure that the landlords do not get a Stock which will come to a premium, and thus injure the interests both of the British taxpayer and of the Irish tenant. The object of leaving out the words is to prevent the landlords from obtaining an undue premium upon their Stock, compared with what is got by the general creditor. I object to the 30 years, and want to leave that provision out, because I am anxious that there should be prompt and immediate reduction of the liability on the British taxpayer, whom I want to see relieved as speedily as possible. What I propose is that there should be, either by annual drawings or otherwise, a prompt and early application of the Sinking Fund to the diminution of Stock. I do not know the object of the 30 years' clause, unless it is to command a premium on the Stock I have mentioned. I hold that the only object is to give the landlords at once 30 years' enjoyment of the higher rate of interest of 2¾ per cent. If it is not for that purpose, what is it for? Judging from what has transpired in the Debate, the Chancellor of the Exchequer believes that in this 2¾ Stock he has got a par Stock. He is aiming at a par Stock, and that is why he is giving the enjoyment of this interest for 30 years. But in order to ascertain the full significance of this 30 years' clause, it must be read along with Clause 7, Sub-section 2, towards the end of the first part of the Bill. That clause provides that if the Land Stock should be, in the opinion of the landlord, undesirable, he may exchange it for Consols; and if he does not consider the exchange desirable he may stick to the 2¾ Stock. I hold that the benefit of the alternative is given to the landlord, and to the landlord alone, who will be in a position to enjoy the 2¾ Stock at a premium for 30 years. If the Stock is to remain on the border line of par, naturally it will be likely, as do other Stocks, sometimes to go below par. Why does the Chancellor of the Exchequer put in 30 years, then? Surely to retain it at par the best way would be to make it redeemable at once, or within a year or two. But I say the only reason that can be attached to its being made a 30 years' Stock is that it may have the capacity of going to a premium, otherwise the right hon. Gentleman would be very sorry indeed, for the sake of his landlord friends, to put in the 30 years clause, if he were frightened that the Stock would come to a discount. Now, the words proposed to be added by my Amendment simply secure that there is a direction in the Bill that none of the Stock shall be left outstanding in the 49th year. I do not know whether the Government will consent to this, but I hope they will. All the annuities are to be paid into the Treasury in 49 years, and they furnish the interest at 2¾ per cent., and cease at the end of that period. That seems a very good reason for putting a direction into the Bill that the Stock itself shall be compulsorily paid off by the end of the 49th year. There is another argument, namely, that the Government themselves thought it necessary to put this very clause into the Land Purchase Bill of last year. I do not see how they can refuse to accept the Amendment, which is simply a copy of Clause 5, Sub-section 2, of their own Bill of last year.

Amendment proposed, page 1, line 16, to leave out from "after," to "redemption," in line 20, inclusive, and insert—

"For the purpose of paying off the whole of the Land Stock at or before the expiration of the time at which the purchase annuities hereinafter mentioned will cease." — (*Mr. Keay.*)

Question proposed, "That the words 'And after 30 years' stand part of the Question."

(5.2.) Mr. GOSCHEN: The hon. Member has divided his Amendment into two parts — the words to be omitted and the words to be inserted. He wishes in the first place to omit words which settle the whole process and method by which the transaction shall take place. It is impossible to omit these words and to leave everything vague. In the next place, the hon. Member has put a sense upon the word "redeemable" which I do not think it will properly bear. "Redeemable" means that the State has the power to redeem, but not that the State shall redeem. The hon. Member says that if the Stock is not redeemed in two years it must remain at par. Not at all. It depends upon whether it is likely to be redeemed or not. The State ought never to engage to redeem large sums at a certain date when it does not know precisely how things may stand at that date. I do not think the hon. Member will object to my passing over in silence that part of his argument which relates to the 30 years, because after all it is only a modification of the contention we have been arguing over all the afternoon. I do not say there is much to object to in his words, but the whole tenour of the Bill is that the redemption will take place within 49 years, and, in the case of Stock above par, within 30 years.

(5.4.) MR. LABOUCHERE: The hon. Gentleman has used an argument which seems to me a strange one after the discussion we have had this afternoon. It is said that after a certain time these particular ear-marked annuities would be converted into Consols. The right hon. Gentleman has been fighting that point all the afternoon and telling us it was impossible to issue this Stock in the form of Consols because he wants to keep it separate. I hope the right hon. Gentleman will explain the discrepancy between his argument and this provision of the Bill.

(5.5.) MR. T. M. HEALY: I was going to raise the same point. If it be the case that there is a provision in the Bill which will enable the Stock to be exchanged into Consols, what becomes of the right hon. Gentleman's argument?

MR. GOSCHEN: If the hon. Member will turn to Clause 7, Sub-section 2, he will see that, within limits fixed by the Treasury, there is power given to the National Debt Commissioners to take the Stock in lieu of Consols. That is totally different from putting the whole of this into Consols. If applications were made for the exchange of moderate amounts no doubt the National Debt Commissioners would exercise their option.

(5.7.) SIR W. HARCOURT: The right hon. Gentleman has not answered the question. We want to know what now becomes of the argument about keeping before the public this separate Stock. Supposing the National Debt Commissioners exchange any of this stock for Consols, *pro tanto* that amount disappears.

MR. GOSCHEN: Perhaps the right hon. Gentleman will allow me to explain. It would not disappear at all, but the National Debt Commissioners would have so much less Consols and so much more Stock.

MR. T. M. HEALY: It is "all persons" and not the National Debt Commissioners.

Mr. Goschen

MR. GOSCHEN: It is the National Debt Commissioners who are to have the power. It is not a power of cancelling Stock or changing one Stock for another, but a power of investment. The two Stocks will remain entirely separate.

(5.8.) MR. W. E. GLADSTONE: We understood from the previous statements on the Bill that the landlord was to have no option of conversion into Consols. Now, if I understand it rightly, the case is different. The National Debt Commissioners will give Consols in exchange for the Stock created under this Bill when they find it agreeable to their own convenience, so that of course the landlord's option becomes a qualified and conditional one. If I understand the matter rightly the National Debt Commissioners do not necessarily hold such large amounts of Consols as to have great quantities disposable for the purpose of enabling landlords to exercise that option. Therefore, it will have to be understood that it is not a free option but one qualified and conditional according to the state of the investments of the National Debt Commissioners.

(5.10.) MR. GOSCHEN: The right hon. Gentleman is perfectly correct. If I am not out of order I will read the clause:

> "All persons, including the National Debt Commissioners, shall have the like power of investing in the Land Stock as they have in Consolidated Annuities, and the National Debt Commissioners shall also, within the limits fixed by the Treasury in communication with them, give on application Consolidated Annuities in exchange for an equal nominal amount of the Guaranteed Land Stock."

That is to say, the Treasury may say, they will take £5,000,000 or £7,000,000 of the Stock. Of course, for the State, it would be a good investment. I am glad to say the amount of Consols held by the National Debt Commissioners is extremely large—something like £60,000,000. This is a power that would be exercised with very great caution by any Government, but the probability is that the Chancellor of the Exchequer of the day will think it would be very desirable that a portion of this Stock should be held by the National Debt Commissioners.

MR. W. E. GLADSTONE: Would the National Debt Commissioners have power to sell this Stock like any other of their investments?

Mr. GOSCHEN: Certainly.

(5.12.) Sir W. HARCOURT: There is one question I should like to ask. The clause says—

> "The National Debt Commissioners shall also, within the limits fixed by the Treasury in communication with them, give on application Consolidated Annuities in exchange for an equal nominal amount of the Guaranteed Land Stock."

But who are they going to give it to? Who wants it, and why is the exchange going to be made? I suppose the person who gives this Stock to the National Debt Commissioners and gets Consols in exchange for it expects to get some advantage. I do not understand what the nature of these transactions is. What is to be the interest of the persons who take part in these transactions?

Mr. GOSCHEN: We are really discussing Sub-section 2 of Clause 7; but I will answer the right hon. Gentleman. I do not know what the interest of the persons may be, but the matter amounts to this: that, considering that this Stock bears a guarantee of 2¾ per cent., the National Debt Commissioners can never do wrong in giving Consols in exchange for it. I think the clause shows the *bona fides* of the Government. It shows that we do not believe that this Stock will be so much above par. I submit, however, that any further discussion on the subject ought to be taken on Clause 7.

(5.15.) Mr. T. M. HEALY: I do not think the Chancellor of the Exchequer would do well to try and shut out this discussion.

The CHAIRMAN: It is quite irregular to go on discussing the meaning of Sub-section 2 of Clause 7.

Mr. T. M. HEALY: Quite so, but the consideration of the words we are now on involves comparative consideration of the value of Consols and the value of the Land Stock. As I understand the Amendment refers to the paying off the whole of the Land Stock. The hon. Member for Elgin and Nairn proposes to leave out the 30 years; in other words he proposes that this shall not be a terminable or redeemable Stock. I submit that opens up to us comparative considerations of the two Stocks.

(5.16.) Mr. CHANCE: On the question of order, I should like to point out that if the Bill is allowed to stand as it is the Sinking Fund which would be created would, in the hands of the National Debt Commissioners, be applicable to the redemption or purchase of any of the Government Stocks, but if the Amendment is carried that Sinking Fund can only be applied to the redemption of the Land Stock. If that is so, is it not relevant to consider which Stock would most properly be redeemable, and whether the Committee would be wise or not in depriving the National Debt Commissioners of the power they would have of using the Sinking Fund for the purpose——

The CHAIRMAN: The hon. Gentleman has addressed the Committee under a complete misapprehension.

*(5.17.) Mr. KEAY: The Chancellor of the Exchequer is a very distinguished and experienced statesman, and he is also very ingenious; but I am sorry to say his ingenuity as practised towards myself is directed to not answering the main point of my Amendment. I propose to leave out the 30 years. That is of course the *gravamen* of my Amendment, but the right hon. Gentleman stands up and says "the hon. Gentleman will excuse me for not saying anything about the 30 years," and then goes on to refer to the very innocent words I proposed to substitute for the omission. If the right hon. Gentleman did not put in the 30 years for the purpose of appreciating the landlords Stock above par what was his object? I hold that even we, private Members, humble as we are, are entitled to have the clear *gravamen* of our Amendments replied to. He says there is no object in giving the landlords the enjoyment of this Stock for 30 years, because it will not go to a premium. It is very difficult for me to get replies from the Chancellor of the Exchequer's own mouth. I have already to day made him answer himself by quoting from his speech last year. I will make the Chief Secretary for Ireland answer him now by quoting from the speech the right hon. Gentleman made in bringing in the Bill of last year. On the 24th of March last year, the Chief Secretary said—

> "The second explanation is that the owners are to be repaid in Government Stock bearing 2¾ interest not payable before 30 years."

I am quoting from the *Times*: I have not the revised version of the speech in *Hansard.* The right hon. Gentleman went on—

> "This part of the Bill will be explained more fully by my right hon. Friend the Chancellor of the Exchequer; but he tells me that in his opinion such Stock is at least as good as Consols, and if any landlord is foolish enough to take a different view there is a provision in the Bill which obliges the National Debt Commissioners to exchange Consols for the Stock."

(5.23.) MR. GOSCHEN: I will reply at once. The hon. Gentleman says I have omitted to answer the point he raised with regard to the 30 years. I stated that the whole of the point which the House was discussing on the Amendment of the right hon. Gentleman the Member for Wolverhampton was that this Stock would bear 2¾ per cent. for a longer period than Consols. Consols are at 2¾ per cent. for 14 years, and the whole point of the discussion on the Amendment of the right hon. Gentleman the Member for Wolverhampton turned upon the difference between the two periods. It is that difference which the right hon. Gentleman the Member for Wolverhampton wishes to remove. The House has been debating that point the whole time, and has come to a conclusion in favour of the provision in the Bill. Therefore, I thought that a reference to that would be a sufficient answer to the hon. Gentleman opposite. With regard to the second point, I do not know how far the report quoted by the hon. Gentleman was full or accurate; but I have no doubt it entirely confirms what I have stated.

*MR. KEAY: Is the House to understand that it is not the expectation of the right hon. Gentleman that this Stock will go to a premium?

(5.26.) MR. T. M. HEALY: The Chancellor of the Exchequer leaves the matter at large as to whether in his judgment this Stock is a better or a worse Stock than the original Consolidated Stock he has converted. If it is a better Stock, why give the landlords more interest? If it is a worse Stock, then it is worse to get 2¾ per cent. than 2½ per cent. In this matter the Government seem to me to be dancing on eggs. They do not know what position to take up.

Mr. Keay

(5.28.) MR. GOSCHEN: I thought I had made the point as clear as possible. I look upon the two Stocks as very nearly identical in value, though I look upon one as rather superior to the other. The length of time given for the enjoyment of the 2¾ per cent. is in favour of the Land Stock, while, on the other hand, the fact that Consols have always been put on a separate footing and have always been higher than other Stock, reduces the difference between the two Stocks, and I believe, on the whole, that their values will be very nearly identical. When hon. Gentlemen ask me to prophesy what will be the precise value, that is a matter I cannot undertake. I will, however, venture to say that within three years there will not be any divergence in the prices of the two Stocks. It would be forcing the situation to ask me to prophesy what the value of the Stock will be.

MR. LABOUCHERE: What I want to know is, will it be permissible at any time to change Consols into this Stock?

(5.31.) MR. T. M. HEALY: I think the Chancellor of the Exchequer ought to give us some reason for this fancy of his, and he will do so if he is anxious to shorten the Debate. We have heard of fancy franchises, and he is now creating fancy Stocks.

THE CHAIRMAN: Order, order! That is not the question before the House. The question is whether this Stock is to be redeemable after 30 years, in accordance with the provisions of the Act of 1888, or whether it is to be redeemable as soon as it has been created under a plan which the Amendment does not reveal.

MR. T. M. HEALY: It appears to me that the whole question of the redeemability of the Stock is involved. I cannot, for my part, object——

THE CHAIRMAN: Order, order!

(5.32.) MR. SEXTON: I hold that either this Amendment must be accepted or some identical provision be inserted in the Bill later on. My hon. Friend's proposal is that Parliament should indicate that the whole of the Stock issued is to be paid off within the period of the annuity. The whole of this financial scheme is founded upon an arrangement whereby after payment of interest to the stockholder 1 per cent. is reserved for the formation of a Sinking Fund. The information we at present have as to the nature of this Sinking Fund is of a most meagre character, and I think the time has come when it should be supplemented. How soon, I may ask, will the 1 per cent. per annum enable the Government to redeem Stock; and if it is allowed to accumulate, will the Government be able at the end of 49 years to redeem the whole of the Stock?

MR. GOSCHEN: That is our calculation.

MR. SEXTON: I assumed so. Then what is the actual intention of the Government? At what period do they intend to redeem the Stock? They seem to bind themselves to nothing. The provisions of the Bill in this respect are very peculiar. The proviso is that 30 years after the commencement, and not before, the Stock shall be redeemable. That is to say, the State must not redeem at all for 30 years. Why should the State be put under such an obligation? Why should the Government and this House now attempt to bind the State not to redeem the Stock for a period of 30 years? Let us see how this Sinking Fund is to be created. First, there is the 1 per cent., and the purchaser's assurance money. The average number of years' purchase in Ireland is about 15, instead of 20, so that every purchaser will have to pay about a quarter more than he ought to in the first five years. The result will be that there will be a sum of about £1,500,000 lying idle. Why should it be idle for 30 years? I do not see why that sum should not be devoted to the redemption of the advance. Why should the Government be bound not to redeem for 30 years? I believe that their real reason in this matter is that they want the Stock to have an artificial value, so that the landlords may sell it at a premium. We must resolutely oppose any proposal of that nature, and must secure that the Stock is redeemable as soon as it has been issued. I may point out that there is no provision making it obligatory on the Government ever to redeem the Stock. I can only add that the Government ought in this Bill to bind itself to put this Sinking Fund to its proper use.

(5.36.) MR. GOSCHEN: I think the hon. Member for West Belfast is in error in saying that the insurance money will be applied to the Sinking Fund. It will have nothing to do with it.

MR. SEXTON: I beg the right hon. Gentleman's pardon. If he will refer to Sub-section 4, Clause 7, he will find the words "Sinking Fund, including purchasers' insurance money."

MR. GOSCHEN: Yes; but that insurance money is not to be applied to the purposes for which the Sinking Fund is created. The Insurance Fund is part of the annuity. I doubt whether this is a proper occasion on which to explain the whole operation of the Sinking Fund. It has been considered wisest to leave to the State the freest possible hand in dealing with this Stock, in the interest of the State itself. I should have no strong objection to the insertion of words making it more clear that the State is absolutely bound to redeem, but we have thought it best to leave a free hand, and the Sinking Fund will be employed by the National Debt Commissioners in paying off the advance in the best manner possible. It must be remembered that a Stock with regard to which there was doubt as to how long it will go on paying $2\frac{3}{4}$ per cent. is not one which can be held by trustees at all. We wish to make this a Stock which can be held by trustees, bankers and others, and I fear that a provision such as the hon. Member suggests would disqualify it as an investment for permanent purposes. I will, however, consider the question of inserting words with regard to the paying off of the advance.

(5.41.) MR. SEXTON: I shall be glad if the right hon. Gentleman will insert words which will place it beyond all doubt that the Sinking Fund shall be applied to the purposes for which it is proposed now to create it.

(5.42.) MR. MONTAGU (Tower Hamlets, Whitechapel): If it should occur that the Stock be worth 2 or 3 premium in the market, would it not be well to reserve to the State the option of paying the landlords in cash instead of Stock, paying them, say, £100 in money instead of bonds to that amount?

*(5.43.) MR. KEAY: Did I understand the right hon. Gentleman to promise that he would insert words which will have practically the same

effect as is arrived at by the Amendment?

SIR G. CAMPBELL (Kirkcaldy, &c.): From all I hear, it seems to me it would have been very much better for the Government to have borrowed the money in Consols and paid the landlords in cash, for then we should not have had all this trouble about the varying value of the Stock, while it would have been made clear to the British taxpayer exactly what this experiment is costing him.

THE CHAIRMAN: Order, order! That is not relevant to the Amendment before the Committee.

(5.44.) MR. CHANCE: I think there is one method of redemption to which the Chancellor of the Exchequer could have no objection. He might allow the tenants to tender for Stock at nominal value and thereby extinguish their liability for annual instalments. That surely would not interfere with the market value of the Stock.

MR. GOSCHEN: Of course, anything which would lead in the direction of the redemption of the Stock would meet with the approbation of the Government. I believe there is an Amendment down which aims at the object suggested by the hon. Member, and which indicates some process of that kind, but I have not yet been able to understand exactly what is proposed. I do not see how it would work.

(5.45.) MR. CHANCE: The right hon. Gentleman has pointed out with some degree of force that the value of the Stock will be interfered with unless people are certain that they will get interest on it for a definite number of years, and he, therefore, objects to a proposal enabling the Stock to be redeemed before 30 years have expired. My suggestion is this, that if a tenant owed £300 in a given year he should be allowed to go into the open market and purchase Stock to the nominal amount of his annuity and tender it to the Government in payment. That would practically extinguish the Stock without interfering with its market value.

(5.46.) MR. SEXTON: May I ask whether the Government are prepared to fix the redemption within a specified period?

Mr. Keay

MR. GOSCHEN: I should not like to say anything final as to the redemption until I have had an opportunity of consulting the draftsman. As to the proposal that payment should be accepted in Stock, I do not for the moment see any considerable objection, and I will consult my right hon. Friend as to whether an Amendment of that kind will be acceptable. Of course, if the Stock is below par it will *pro tanto* delay redemption.

(5.47.) MR. MONTAGU: The right hon. Gentleman has not answered my question.

THE CHAIRMAN: Order, order! That subject is not relevant to the Amendment.

MR. T. M. HEALY: The Chancellor of the Exchequer has certainly gone some way to meet our objection. The proposal of my hon. Friend the Member for South Kilkenny involved only a small operation, while that made by the hon. Member for West Belfast embodied much larger considerations. I think, in the interests of the country, we ought to have a definite answer on that.

MR. GOSCHEN: On what point?

MR. T. M. HEALY: Will the Government bind themselves in the matter of the redemption? They seem to be proceeding under the idea that they are sailing under the flag of the Ashbourne Act. That Act provided for an advance of £10,000,000, and when that sum has been re-paid the operation is entirely done with. You are, however, now using the framework of the Ashbourne Acts to involve the British taxpayers in altogether new liabilities. It is proposed that the Stock shall not be redeemed for 30 years, although £20,000,000 out of £30,000,000 may have been paid off. The money is during that period to be dammed up like a financial river, and will not go to redeem the Stock. The reason the Chancellor of the Exchequer has given for that is that he does not like to offer his friends, the Irish landlords, a Stock of precarious value, which this Stock will be if unascertained portions of it are subject to redemption at any moment. Of course, he does not say that in so many words, but he hints at it. He says he will give the holder of the Stock an absolute guarantee of non-extinguishment for 30 years. What in the meantime is to become of the money which the tenants are re-paying? The whole thing hinges upon the proposal in Clause 7, by which the National Debt Commissioners and the Treasury——

THE CHAIRMAN: Order, order! Clause 7 has nothing to do with the point before the Committee. As I have already explained, the sole question is whether the Stock shall be redeemable at the end of 30 years under the Act of 1888, or whether it shall be redeemable at once, in a method as yet unexplained.

MR. T. M. HEALY: I appreciate the point, Sir. My object is to prevent this money being dammed up in the pockets of the National Debt Commissioners, and to provide that there shall be some blood-letting arrangement.

THE CHAIRMAN: Order, order!

MR. T. M. HEALY: It is clear to my mind, and I am sorry I cannot make it clear to other minds that the meaning is——

THE CHAIRMAN: Order, order!

MR. T. M. HEALY: Well, I will drop that, and simply ask for a distinct statement from the Government as to when the Stock will be redeemed?

*(5.54.) MR. KEAY: As I understand the concession of the Government to be of a substantial nature, I am prepared to withdraw my Amendment.

MR. GOSCHEN: There must be no misapprehension on this point. My observations were confined to the point raised by the hon. Member for West Belfast. I distinctly hold the view that the first £30,000,000 shall be paid off within the 49 years, but I cannot undertake that the re-issues shall be paid off within the same period. I promise that words shall be placed in the Bill indicating that view.

(5.55.) MR. SEXTON: I agree that there must be no misunderstanding. It seems to me that the right hon. Gentleman is over cautious. He admits the 1 per cent. will enable all the advances to be redeemed within the 49 years, but when we ask him to bind the State by this Act to redeem, he says he will consider the point.

(5.56.) MR. GOSCHEN: I am anxious to safeguard myself. My promise is that the intention of the Government that the original advance of £30,000,000 shall be paid off in the 49 years, shall be indicated in the Bill.

(5.57.) MR. SEXTON: That is sufficient. Of course, I did not expect the right hon. Gentleman to go further. He says he will see how this object can be secured, and that promise means he will do it.

*(5.58.) MR. KEAY: I think the right hon. Gentleman hardly understands his own Bill, for it provides for the possible cancelment of all Stocks when the annuities cease, as also did his Bill of last year, from which my Amendment is taken. I do not see any difference between the right hon. Gentleman's intention and my wish as expressed in the Amendment. Therefore, I ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

(6.0.) MR. CONYBEARE (Cornwall, Camborne): The Amendment I propose to move is the omission of the words—"After 30 years from the commencement of this Act, and not before," and subsequently I have an Amendment to omit the reference to the "National Debt Conversion Act, 1888." So my proposition is that the clause should run—

> "Such Stock shall be a Capital Stock, consisting of annuities yielding dividends at the rate of £2 15s. per annum on the nominal amount of the capital, payable by equal half-yearly payments on June 1 and December 1, and shall be redeemable at par by yearly drawings to an amount equal to the capital value of the sinking fund for the same year."

There is, first, the intermediate Amendment to line 16, and these, I may say, are alternative proposals. There is something to be said in favour of annual drawings, and without now entering upon a lengthened argument, I put forward the Amendment as it stands, and it may be deemed worthy of discussion.

Amendment proposed, in line 16, to leave out from the word "after" to the word "before," in line 17 inclusive.—(*Mr. Conybeare.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. GOSCHEN: I thought this was practically disposed of by the Debate we have had. We debated upon the last Amendment whether 30 years should stand, and I think we exhausted the arguments on both sides.

Mr. CONYBEARE: The right hon. Gentleman has not quite caught my meaning. I do not wish to re-argue the question, which I am well aware has been discussed, as to whether 30 years should remain or not, but to get rid of the limit and introduce the alternative proposal of a yearly drawing. As a financier, the right hon. Gentleman is well aware of the fact that national and foreign loans are frequently redeemable in that manner.

Mr. GOSCHEN: I did, in the previous discussion, address myself to the point. It is true the system to which the hon. Member refers is often applied to loans, but it is generally applied to other than first-class Stock, and not to Stock that Trustees can invest in. Nothing can be worse for a Stock to invite investors than that it should be subject to redemption at uncertain intervals. If for no other reason Trustees would not avail themselves of Stock of this character because of the uncertainty and trouble possibly of re-investment of the funds under their care at short intervals. In no Stock of high class is this considered a desirable method of redemption. The plan the hon. Member has suggested would be of no advantage to the State, nor would it be of any advantage to stockholders themselves, and I trust the hon. Member may not think it necessary to press the Amendment.

(6.5.) Mr. T. M. HEALY: It is because of the mathematical precision with which the right hon. Gentleman puts his points that we have urged upon the Chancellor of the Exchequer that he should never have made this distinction between this Land Stock and Consols. I now ask the right hon. Gentleman—and the opportunity presents itself on this Amendment—to explain his position on this point, and why the distinction is made, and to defend the term of 30 years. We have observed the right hon. Gentleman's uneasiness whenever reference is made to the difference between this Stock and Consols; but we may ask him, why this term of 30 years? He has said, and no doubt his contention is correct, that if you have Stock redeemable at a moment's notice, the precarious nature of that Stock reduces its value as an investment; but when you have funded the Stock, why the provision of this term of 30 years?

The CHAIRMAN: The hon. and learned Member is wandering wide of the Amendment before us.

Mr. T. M. HEALY: I did not intend to wander. I may say my mind remains at anchor upon this point; but I accept your ruling, Sir, that my observations are wide of the Amendment, and will not pursue the discussion.

(6.6.) Mr. CONYBEARE: I admit the force of what the Chancellor of the Exchequer has said as to the position of Loans and Stocks in the market, and have no inclination to waste time with my suggestion beyond saying that I should like to see it adopted in an experimental transaction like this. In reference to the answer of the right hon. Gentleman, I may say that I had not taken the view that this will be a first-class Stock, and I do not see any arrangement by which it could be made a first-class Stock. I should be sorry, indeed, for the Trustees and others who placed their investments in Stock of this kind based on a bogus security. However, that is a question for the *protégés* of the right hon. Gentleman in time to come. I do not insist on the Amendment. I accept the statement of the right hon. Gentleman, and ask leave to withdraw.

Amendment, by leave, withdrawn.

(6.9.) Mr. CONYBEARE: I presume I shall now be in order in moving my Amendment to leave out "thirty" and insert "ten," and I am not aware that the ground of my Amendment has been covered by any discussion we have had already. The proposal of the Government, we are told, is to establish what they call a first-class Stock in which Trustees and *bonâ fide* investors may invest their money; and to make it a first-class Stock it is placed in a position better than that of what is usually known as the best first-class Stock for Trustees, namely, Consols. So far as I can judge the effect of the proposal made by the Government, it is to give a higher rate of interest to this than is given to those who invest in the ordinary and more or less depreciated Consols. In order, further, to protect their friends the landlords of Ireland, in order to give them the very best security in their power, they—to use a Stock Exchange slang expression—they "bull" this Stock, raising it to an inflated value, and giving the holders the advantage of selling out at an inflated price. The Chancellor of the Exchequer now proposes that it shall be fixed—that is to say, that it shall not be redeemable until after 30 years from the commencement of this Act. Now, we have here two extremes. In my last Amendment the proposal for annual drawings was pronounced precarious and unsound for a first-class Stock, and the Chancellor of the Exchequer goes, I think, to the other extreme when he proposes that the redemption shall not be until after a term of 30 years. Between these two points of extreme there are, I daresay, many points of agreement. I hold that the term of 30 years is too long, and that it is a long term I think the Chancellor of the Exchequer will admit, and I now propose to limit the period to 10 years, by way of an alternative for yearly drawings, the proposal I made just now. In fixing the term so high as 30 years the Chancellor of the Exchequer is taking a measure which will undoubtedly inflate the Stock he is creating in a manner wholly unnecessary and unfair. Now, the proposal to which I invite the attention of the Committee is to substitute "ten" for "thirty" and I shall be interested to hear from the Chancellor of the Exchequer whether there is any substantial objection to that proposal. If his objection is one of those of the same character as his last, possibly we may approach each other by some figure between 10 and 30, but I think that a shorter term than 30 years is essential in the interest of the public.

Amendment proposed, in page 1, line 16, to leave out the word "thirty" and insert the word "ten."—(*Mr. Conybeare.*)

Question proposed, "That the word 'thirty' stand part of the Clause."

(6.15.) MR. GOSCHEN: It is not probable that the whole of the £30,000,000 will be issued in two or three years, and if the period of issue were to approach five years then during five years the holders of the Stock would be uncertain what interest they were to receive. I notice with pleasure the view taken by Irish Members that the Bill is likely to operate pretty fast, there being a disposition among landlords and tenants to avail themselves of the facilities the Bill offers. But still I think the period of 10 years is much too short.

(6.16.) MR. CONYBEARE: I agree with the right hon. Gentleman, and there is apprehension that the Bill will operate pretty fast and our constituents will be defrauded by the operation of the Bill. But let me explain that my proposal is that the issue of Stock should be divided into certain quantities, thus: The right hon. Gentleman may want to issue, say, £10,000,000 this year, and perhaps another £2,000,000 in another year, and so on, and the time would run from the date of each issue. I do not say that provision is made for this in the Bill, but such provision could be readily made. I am not wedded to the term of 10 years; it may be a term of 12 or 15 years or 20 years, but I do think that when, as was said last night, the object is to give the landlords good security at par, there should be an undue inflation of value by fixing this term of redemption at 30 years. However, I survey the question with indifference, and do not press the Amendment.

Question put, and agreed to.

*(6.19.) MR. KEAY: The Amendment I now have to move is that which appears at the end of the page at line 26. It is better, I think, that I should move the Amendment in the form I propose, because, so far as I know, other hon. Members may desire to introduce Amendments to the same line. I do not quite know what our Irish friends may say to my proposition, but, for my own part, I see no reason to strike out the Guarantee Fund in this place. In the interests of the Imperial taxpayers we think it better to retain it, and that is why I move the Amendment. The object of it is simply to prevent the general assets of the taxpayers of this country from being pledged for the benefit of the Irish landlords, and it is also for the purpose of securing that the Land Stock which they receive will rest, as it ought to rest in our opinion, on what the Chancellor of the Exchequer himself called in his speech of last year "the network of securities provided in

the Bill." I remember that he was very strong upon this point, for when he followed the right hon. Gentleman the Member for Mid Lothian in Debate on the Second Reading he boasted that the great master of finance did not find himself able to attack this network of securities with which the Bill was surrounded. Now, if there is this excellent network of security I say why bring in the Consolidated Fund? It has been the standing boast from the Treasury Bench that this Guarantee Fund will in itself cover the whole of the advances under this Bill. Well, then, if these securities are sufficient, why, I say, bring in the Consolidated Fund? If, on the other hand, they are insufficient, what, then, becomes of the pronouncement that the British taxpayer incurs no risk whatever? Both of these propositions cannot be accepted; either the public taxpayers have risk, or they have not. If they have not, why this additional security? Before I proceed any further, perhaps I may be allowed to refer to a few words in the recommendation contained in the Report of the Royal Commission, which reported upon the working of the Ashbourne Act in 1887, words, I think, very pregnant in the consideration of the Amendment which I propose. The Commissioners say—

> "It is clear from the evidence that the great majority of the small Irish tenants are not in a condition to meet the risk of fixed rents for so long a period as 15 years. It would, therefore, be prudent without further delay to make provision for revision at a shorter term than 15 years. We therefore recommend that the term should be shortened from 15 to 5 years."

Well, now, I ask what is the position of Her Majesty's Government, who, having appointed this Commission, and having received its recommendation, yet in these days—I may almost say in these decades—of falling prices and falling agricultural values, forget altogether this recommendation of their own Commission, and now provide for fixed payments for a period of 49 years? I do not want right hon. Gentlemen opposite to suppose that I am founding my argument on the figures of the old rents, as the Commission did. I know they will say—and they have a certain right to say—that they hope and believe that these annuities under this system are very different from the rents of which the Commissioners were speaking. I admit that the immediate necessity of revision may disappear, yet the principle, which the Royal Commission says is enforced by the evidence, is equally applicable to the present case, that principle being that it is impossible for the tenant to accept a fixed rent which he may not be able to sustain in case of a fall in value. There has, indeed, now been added an additional and enormous risk to the Consolidated Fund, inasmuch as this Bill deliberately provides for the wholesale overvaluing of the holdings. The Bill is apparently framed for the purpose of providing that the tenant be steeped in insolvency. Who would ever capitalise the gross value of a lease, or of any fixed property, as is done here, if he wanted the buyer to remain solvent? Suppose one of the right hon. Gentlemen on the Treasury Bench were going to buy an advowson, and the price was to be 25 years' purchase. He would not agree to pay 25 years' purchase of the gross value of the benefice, but would first deduct the outgoings, say for the salary of a curate, and then capitalise the net income of the benefice. This Bill is absolutely unique in proposing to capitalise the gross value instead of the net value of the holdings, and I say that an enormous additional risk is being placed on the Consolidated Fund by this means. We are, fortunately, indebted to the Government for having—tardily, it is true—provided a Return of a most interesting character, as elucidating this important matter. I refer to Return No. 47 of the present year. It must be remembered, in the first place, that the whole of the sales effected under the Ashbourne Acts have been at an average of 19 years' purchase of the valuation. Of course, the great majority of the tenants have been successful up to the present in paying their instalments. But what about the defaulters? The Return shows the number of them, and the ruinous annuities which have been saddled on them in consequence of the extortionate prices at which they have been compelled to purchase their holdings. I have averaged the whole, and find they have paid not 19, but 25 years', purchase. The lesson we must draw from this is that the deliberate overvaluing of holdings and the deliberate misguiding of the Commissioners as regards overvaluing, has the effect of making the tenant bankrupt and consequently of largely increasing the risks which come on the Consolidated Fund. The right hon. Gentleman the Chief Secretary will remember having produced to the House in his first speech a statement which was certainly very clear and much appreciated by the House, in which he took £100 as the ideal of rental, and said that the £100 would come down to £68 under the scheme of this Bill. When we look at what has actually taken place with the defaulters, what do we find? We find that the defaulting tenants have been charged 25 years' purchase of their holdings, and have, therefore, had to pay a 4 per cent. instalment on 25 years' purchase, which is equal to the whole of the Poor Law valuation of the holdings. This means that these poor tenants, instead of having had their £100 reduced to £68, could have had it reduced in the Land Court to £80, but by purchasing instead of going into the Land Court have had what would have been a judicial rent of £80 raised to £100 for 49 years. I do not wonder that these men are bankrupt. The deliberate capitalising of the gross value of the holding, instead of the net value, has the effect of almost ensuring their being placed in financial difficulties. I am very anxious to know by what method the right hon. Gentleman the Chief Secretary can explain how the advance out of the Consolidated Fund to pay the dividends and the Sinking Fund payments can possibly be, as it is termed in the Bill, a "temporary advance." The provision is that the dividends and payments to the Sinking Fund shall be paid out of the Land Purchase Account; and if it is insufficient shall, to the extent of the deficiency, be paid as a "temporary advance" out of the Consolidated Fund, and every such advance shall be repaid out of the Guarantee Fund. I have no hesitation in saying that as the different Amendments come up I shall succeed in demonstrating that this clause simply directs that an impossibility be done. A "temporary advance" must, of course, imply that the Guarantee Fund had the coin, or in a short time would have the coin, in it for the purpose of repaying to the Consolidated Fund the whole of the dividends and Sinking Fund payments to be created by the Bill. I say that even if the Guarantee Fund succeeded at any time in paying off one year's instalment rendered necessary by default, the result would be that the income of Ireland would be correspondingly diminished by the denial of Imperial grants and contributions, and that would tend to cause a recurrence of the default in the following year. But there is a stronger argument. If the Guarantee Fund fails to pay up, the temporary advance becomes more or less permanent, and the Guarantee Fund can be shown to be absolutely, arithmetically, unable to pay up to the Consolidated Fund what is temporarily advanced until after an enormous lapse of time, and until an enormous amount of debt has accumulated. The Chancellor of the Exchequer, replying to a question I put to him in December, laid great stress on the alleged temporary character of the advance from the Consolidated Fund, and he even somewhat lost his temper, and accused me of "suppressing the fact that the Consolidated Fund is at once recouped by the Guarantee Fund." But I say that the whole of the Guarantee Fund is positively insufficient, and, therefore, it is impossible that the Consolidated Fund can have its advances at once recouped, as stated by the right hon. Gentleman. How can the Guarantee Fund at once recoup when it has not the coin in it to do so? Let us look at the figures in the Return presented at the request of the right hon. Gentleman the Member for Bradford and myself, showing the operation of the Sinking Fund. This Return was not all I wanted. For some reason best known to himself the Chancellor of the Exchequer has confined it to 30 years, and has not carried it to 49 years as I desired. But it shows that on the 30th year the annuities due from the tenants amount to £1,845,000. But the whole income of the Guarantee Fund for each year it is also shown will amount to £1,200,000 only. The right hon. Gentleman's own Return, therefore, shows a deficit at once for that single year of £645,000. What does this clause in the Bill say? Why, that the difference, which will be £645,000 on this one year alone, is to be "temporarily advanced" from the Consolidated Fund. Now, suppose that the whole of the £1,200,000, which constitutes the income of the Guarantee Fund, is got in. I will not enter into the difficulty of realising the Guarantee Fund and of denying the Contingent portion's contributions to Ireland. I take it all as cash, and I say the right hon. Gentleman will exhaust his Guarantee Fund. He will have a deficit which the Consolidated Fund will make good. Then how is the "temporary advance" to be recouped? It cannot be done by taking the next year's £1,200,000; assuming always that there is a default, for that will not only all go but the next year's deficit will in its turn appear to the extent of £660,000, and so on every year. Thus, deficits will go on accumulating year by year in the Consolidated Fund, although you sweep off the whole Guarantee Fund every year, and, as a result, at the end of 49 years you will have £13,000,000 or £16,000,000 that has been advanced out of the Consolidated Fund for a period of 19 years. I want to know if the right hon. Gentleman considers that to be a "temporary advance"? I want to know where the words of the right hon. Gentleman the Chancellor of the Exchequer in his reply to me come in—the words in which he said I had suppressed the fact that the Consolidated Fund was at once recouped? Nineteen years is surely a long time for recoupment not to have been begun. The fact is, the Government have solved an extraordinary hydrostatic problem. There is an old saying that you cannot put a quart of water into a pint pot, but the Government have enormously powerful hydraulic machinery at their command. They have actually succeeded in putting the quart of water into the pint pot; and not only so, but the answer of the right hon. Gentleman showed that they are just preparing by this Bill to take it out again. All I have got to say is this: that the network of securities of the right hon. Gentleman will be proved to be only a network in the sense that it is full of holes.

It being ten minutes to Seven of the clock, the Chairman left the Chair to make his report to the House.

Mr. Keay

Committee report Progress; to sit again upon Thursday.

PRIVATE BILL PROCEDURE (SCOTLAND) [SALARIES, &c.]

Considered in Committee.

(In the Committee.)

Question again proposed,

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of any Salaries, remuneration, and expenses, which may become payable under any Act of the present Session to amend the Procedure in regard to Private Bills relating to Scotland."—(*Mr. Jackson.*)

Committee report Progress; to sit again To-morrow.

REGISTRATION OF CERTAIN WRITS (SCOTLAND) BILL [LORDS].—(No. 272.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Thursday.

LOCAL REGISTRATION OF TITLE (IRELAND) BILL.—(No. 189.)

Bill read a second time, and committed for Thursday.

EVENING SITTING.

MOTIONS.

LOCAL GOVERNMENT IN RURAL DISTRICTS.

RESOLUTION.

(9.0.) MR. ARTHUR DYKE ACLAND (York, W.R., Rotherham): In rising to move the Motion which stands in my name on the Paper, I think I shall be right in saying that the House will not think it unreasonable that, after three years' working of the Local Government Act, it should once more consider the question how Local Government in our rural districts, that part of Local Government still the most incomplete, the most unsatisfactory, stands at the present time. I am not going to spend any lengthened time in speaking of the chaos and complication of Local Government in rural districts. I think that the whole of that subject is well known and well understood, and I will only say that after three years' promises in three successive Queen's Speeches of a District Councils Bill, the anxiety of the country for such a Bill, which will give some further measure of reform in the matter of Local Boards, Boards of Guardians, and other authorities, is certainly growing every day. I can testify, and I am sure many north-country Members can testify to the fact, that dissatisfaction as to Local Board elections and the election of Boards of Guardians, and the manner in which these elections are carried out, is increasing and growing constantly. It is one of those matters our constituents are constantly bringing before us in a great variety of ways. They ask why, when they vote for a member of a Town Council or a Member of Parliament under a simple straightforward method why they should be condemned to an antiquated and unreasonable method in these local elections for Local Boards and Boards of Guardians, where still the plural vote obtains, with a property qualification vote and the voting paper method, all profoundly annoying to people in populous districts. Now I have confined my Motion to rural districts because the problem there has a distinct aspect, and because I think that even town Members are brought to realise that the country question, the rural question, the state of the inhabitants of villages, and the kind of life they lead there, are matters of great importance to dwellers in towns as well as to those who live in the country. I hope my Motion in its wording is sufficiently clear, and I am somewhat surprised at the Amendment my hon. Friend the Member for Somerset proposes. I have not a word to say against District Councils. District Councils were in the Bill of 1888, that part of the Bill which had to be dropped. In my opinion, District Councils which shall do more than the Bill proposed they should do, and in the same way in some districts, though in some respects differing, in which the Boards of Guardians shall be merged, will be necessary for sanitary and Poor Law purposes for a long time to come. But what the upshot of my proposal comes to is this—that, the next time a Local Government Bill is brought in, whether you call it a District Councils Bill or whatever other name you give to it, it must be fundamentally of a different character from that part of the Bill of 1888, which we may call the District Councils' portion of that Bill. The District Councils' portion of that Bill, what did it do? It practically wiped out the parish. Many of those powers which, though not much in working, still exist as belonging to the parish, that Bill proposed to transfer to District Councils, and the Bill did nothing whatever to bring back any life into the parish or to reform the Vestry, and practically it ignored the parish altogether. Now I say, if my Motion be accepted to-night, it would mean a fundamental change from the position in the Government Bill of three years ago. In my opinion, it is fundamental. You may say, after all, that the Vestry and the parish are very small matters, and they may be small matters, I know, but they may also lead to valuable local work and education in citizenship which in your little villages may, though it be a humble position, comparatively, be of very large educational value indeed. After all, what are the principles of Local Government, and the objects of Local Government, but the drawing out of local patriotism? It is not a question of poring over maps in an office, of sub-dividing areas and settling unions that they may be of the same size, or multiples of units nearly of the same size; nothing of the sort; we do not deal with great towns in that way. A great town grows from a small one, and we do not propose to split it in half. We give it the same Local Government whether it has 20,000 or 300,000 or 400,000 inhabitants. Nobody dreams of making any separation or division of the town grown from a small to a large size. In the same sort of way we must look to the question of Local Government in rural districts, not as a question of numbers but of interesting people in their own parish, large or small. I know that some of these parishes are small. The parishes I refer to, of course, are civil parishes. I am not concerned with ecclesiastical matters to-night. The parish is one of the most ancient institutions in the country, and it is rather remarkable that the Conservative Party should do anything to expunge from our midst the parish, the old township around which associations have gathered. Not so very long ago, there really was some parish life in the country. But by degrees, and for various reasons, village government dwindled to nothing worthy of the name, and gradually died out. I believe the time has come when we ought to revive it, and I believe there is a strong feeling among the inhabitants that they are capable of managing their own affairs if we give them an opportunity of doing so in their own way. Now the stock argument, which I dare say we shall hear more than once to-night, against doing anything for the parish, is that many of the parishes are so small. I shall be told, I dare say, that there are 6,000 parishes, with under 3,000 population. I quite admit this, and some of these parishes must be merged in those around and become larger parishes. But that does not affect the Motion. There are, I know, parishes so small that there is no strong feeling in connection with them. I am reminded of a friend of mine talking to a farmer in Wiltshire, and who asked how he stood in his relation to the parish, and the farmer replied he held land in two parishes, that he was made overseer in one of these parishes, but no Vestry had been called during four years, and it was not necessary; and in the other parish he generally sat on a stile and talked over matters with the overseer and settled them every Easter; so practically government in either parish was pretty much the same. An hon. friend of mine, who is a Member of this House, tells me he is one in a parish of 25 in population, and he tells me that he and two of his friends take turns in the office of overseer, and appoint an assistant overseer to do the work. Well, of course, parishes of that sort might well have been merged long ago, and not of such do I speak. What I say is that though there may be great difficulties in these boundary questions you have no right to sacrifice the interests of the larger parishes to the interests of the small. I am quite aware that there are parishes in Norfolk and in other counties where difficulties may arise, and it may be difficult to merge parishes with rural claims. But it is a question for the County Council to deal with. Each County Council knows its own county well, and can adjust boundaries and amalgamations, as the Local Government Board will never be able to do. I have looked into this question, and I find that in Wiltshire there are 10,000 people in little parishes of populations below 200, and 150,000 in parishes of populations from 250 to 4,000. These first parishes are small, but why, therefore, should we sacrifice the interests of the 150,000 for the 10,000, and of a population say of 10,000,000 in the rural districts? Now, my Motion first of all speaks of reformed Vestries; but, of course, the name is a matter of small importance. Some of my friends think that the word Vestry so much stinks in the nostrils of some people, because as an institution it has so long remained effete and non-efficient, that it would be better to do away with the word. Well, they may be called open parish meetings, or any other name would do as well, but I like the name of Vestry as well-known to the rural population; it has a meaning to them; and at any rate I wish to see a complete and effectual reform. Why it is asked by some, have Vestries, if you are to have District Councils? Well, it is a very important matter I think that you should have the opportunity of an annual open meeting of the parishioners, where all may meet. I think those town meetings of which we often hear as being held in American towns, and which are sometimes summoned by the Mayor in English towns, are very useful means for the discussion of questions of local interest. The reason why towns meetings are so difficult in towns is because the population is so large; but in proportion as there is less to interest, less to excite, less to occupy the attention of our country people, in proportion as the people's life is dull and dreary, and the means of entertainment are fewer, so in proportion also, ought you to give every opportunity to the villagers to meet in gatherings which would be the subject of considerable interest to them. I would say, as the Chancellor of the Exchequer said 20 years ago—

> "You ought to give every opportunity for these town meetings, and make every reasonable provision for 10 or 20, or whatever larger number of ratepayers you think right, to ummon open public meetings, for the discussions of matters which concern the inhabitants."

An Instruction was moved in 1888 that provision should be inserted in the Local

Government Bill to reform the Vestries. That proposal was defeated by the Government at that time. The whole of the Vestry Law is in a very chaotic state, and on some points there is a good deal of obscurity. The powers of summoning the Vestry are extremely limited. The powers of giving notice of business at Vestries are also extremely limited. The Chairman of the Vestry cannot be selected by the people, the plural vote arrangements are extremely unsatisfactory, and there is no adequate power of adjourning the meeting—each meetis complete in itself—and when attempts are made to alter the time of meeting, they constantly prove ineffectual. The principle of one man one vote should prevail in all Vestry meetings, in all polls; the plural vote should be abolished, the people should choose their own Chairman, and in country villages there should be full right and opportunity of always meeting in the evening, which is the only time when the labourers can attend. Some of these changes would be perfectly simple. You could incorporate the Vestry, as the hon. Member for Rugby proposed to do in his Parish Councils Bill of last year. You could arrange for deliberations, for resolutions which might initiate important reforms, you could have gatherings which would back the Parish Council in their action, which would criticise the action of other authorities if they thought it injured in any way the interests of the parish. What is the Vestry as it stands at the present time in a good many parishes? I have here a Vestry notice which was hanging on some church door only a week or two ago. This is the notice—

> "The inhabitants"—

it is a parish of 700 or 800 people—

> "are requested to take notice that a meeting in Vestry will be held for the nomination of overseers and for the election of way-wardens. It will be held on the 24th of March, at 11 o'clock in the forenoon, at the 'Crown'"

—the "Crown" is a public house. If that is English Local Government in rural districts it is a very unsatisfactory thing. It would have been much better to say that "the five farmers and the one parson, and the five publicans"—for there are five publicans in this parish—"and the six tradespeople, and one or two other persons who may possibly come at 11 o'clock in the forenoon are hereby invited, and that the 120 or 130 labourers and artisans in the parish who cannot possibly come at 11 o'clock in the forenoon are asked to take notice that the meeting is to be at a time when it is well-known they cannot possibly attend." We have many indications that the people are anxious to take advantage of the Vestry, incomplete and insufficient as it is. I heard the other day of a Vestry meeting in a northern county. About 9 or 10 people had been in the habit of attending it, but it so happened that recently a School Board has been started in the parish, and School Board matters had stirred up the people to take some interest in their own parish concerns. The people said "we will go to the Vestry." The Vestry meeting was held in a public house. The room was not a large one, and the labourers and other people crowded in till the public house people were greatly upset lest their best parlour would be turned topsy-turvy. That is a warning against holding meetings in public houses, which I am glad to say I do not think is at all a common practice. A friend in my own constituency wrote to me recently to say that two years ago a majority of the working men from his parish, who live in the parish but work in the town, lost half a day to attend the Vestry meeting and see if they could not get the time altered from 4 to 7 p.m. A resolution was passed by a very large majority that the time should be so altered, but in the face of the resolution every meeting since had been called for 4 o'clock. There is no redress for anything of that sort. There is a little parish in Wales where there is a School Committee of a National Church School, of which the clergyman is the Chairman, and nearly all the other members of the Committee are Nonconformists. The Committee, of which I happen to be Secretary, work harmoniously. One of the first things this Committee discovered was that the school attendance officer, who lives several miles away, was doing nothing whatever to get the children to school. His pay was £25, equivalent to 1d. in the £1. The Committee sent a deputation to the governors, who referred the matter to the Vestry, thinking no doubt that the Vestry meeting would be attended by very few people. What happened? The Vestry meeting was held in the National School, and I am told the proceedings were rather lively. It was resolved that the work of the school attendance officer had not been done satisfactorily, and it was suggested that he should appoint a deputy and pay him out of his own salary. And then it was resolved to ask the School Attendance Committee to present a balance-sheet each year. Since the meeting, the attendance of the children has enormously improved, and the parties concerned have begun to get frightened of the parishioners. I am glad to know that some clergymen are holding Vestry meetings in the evening, and are encouraging the people to elect their own Parochial Council. One clergyman writes, that he thinks the labourers ought to be represented on this Council in the proportion of three to one of any other class. Then he says he has a Voluntary School Board elected on the same principle, and adds, that whatever else it does it disarms jealousy and suspicion, and produces more or less confidence all round. Why should we not emphasise such a state of things by making it a legal and proper process which should be gone through in every parish, whether the authorities that be like it or not? I now pass to the question of Parish Councils. I hold that in every parish of reasonable size a Parish Council, the members of which might vary in proportion to the number of the inhabitants, should be elected. It should be elected by ballot, and on a thoroughly popular basis. Such a Council should have administrative powers over matters which purely concern parishes. It should have the administration of the charities, of the allotments which are granted under the Allotment Act; it should have powers of control over public buildings, free libraries, common lands and footpaths. Then I think it might very reasonably, in some cases, be entrusted with limited sanitary powers; and besides all this, it would have its eyes open to a great many things which are wanted in the parish. It could call the Vestry together, and could appear with authority before the District or County Council. Amongst other matters it would be able to show and prove whether compulsory powers were wanted for the purchase of land or for the leasing of land for any public purpose—either for allotments, or small holdings, or for public buildings, village halls, or in some cases for dwellings. I consider that this question of dwellings and the security of tenure lies at the very root of all progress in a great many of our villages. I have present to my mind the case of a man living three or four miles outside a large town. He works in the town and goes backwards and forwards every day. His idea was that some day or other he would get around his house a piece of land as a vegetable garden, give up his town work and devote himself to country life. The man organised the flower shows in all the parishes around, and is one of the foremost men in the district. He has just got a month's notice to quit his house in order to make room for a second or third gamekeeper the landlord is going to engage. I do not complain of that, but this man, to my knowledge, is being driven into the town. He knows perfectly well that none of the chief landlords there would dream for a moment of giving him a piece of freehold. Mr. Fife in his evidence before the Town Holdings Committee mentions cases in which the landlord refused to give one bit of freehold. I say that no Small Holdings Bill, or any other Bill, which has not some kind of compulsory power behind it, will do any good whatever to the United Kingdom. Well, there is the question of education. I quite admit that the little parish School Boards, as we have them now, are not satisfactory. In England, at any rate, however things may be in Scotland, where there is a stronger feeling in favour of education, our rural districts will not be effectually organised until we have district School Boards embracing a number of parishes, with a view to providing higher and evening instruction for the children in the upper standards. At the same time there must be strong management, and if we have, as we ought to have, the schools under popular control, the parish Council will be well represented on such a body. There is a growing interest throughout the country on this matter of organised village management. I believe, and I do not hesitate to say, that when people learn lessons of association and lessons of responsibility a good many other things will follow. They will learn to develop the principle of association for their own interest in a way they have never hitherto learnt. I hope we shall see the great co-operative movement so successfully carried on in many towns introduced in the villages, where no facility is now given for the acquisition of freeholds for co-operative purposes. In many towns in the North of England they are a matter of course. The movement could not be successfully carried on without it. I hope we shall see the introduction of such co-operative societies as one I know. There is one society with which I am acquainted in a large district where something like 700 members, all working people, receive over their own counter £18,000 or £20,000 a year, of which they save £2,000 to put back into their own pockets; and for a labourer's wife, whose husband does not earn more than 15s. a week, to receive back £6 of her own, made by her own society, and not given her by any one else, is important as a lesson in self-help. I hope these methods of association will lead them to appreciate the value of a Trades' Union for the agricultural districts. In my opinion the successful development of an agricultural Trades' Union throughout the South East and middle of England would be one of the best possible things for the agricultural labourer. I do not know why, but for some reason this has been looked at askance by some who would not hesitate to tell the town labourers that they have to thank Trades' Unions for the progress they have made. I hope the agricultural labourers will learn the lesson which has been so beneficial to their brethren in the towns, and which has made them what they are. I hope my Motion is thoroughly clear. I have only been able to sketch my views in support of it in broad outline. I do not exclude District Councils; but when a District Councils Bill is brought in it will be utterly unsatisfactory unless it contains, as part and parcel of the Bill, these powers given to Vestries and Parish Councils. As I understand my hon. Friend's Amendment, part of which seems to me to refer to urban districts, it is merely a benevolent and pious opinion that District Councils are wanted. We said that long ago, and we have asked the Government for it, over and over again. District Councils have been mentioned in the Queen's Speech for three successive Sessions, and therefore I should not have thought my hon. Friend's Amendment was particularly necessary. In a Tory leaflet which I hold in my hand, and which was printed at Birmingham, it is said that some parishes are too large and some too small for Parish Councils; that Lord Salisbury's Government proposes to create District Councils elected by the householders, which will take over the duties of Boards of Guardians—that is new to me, for it was not in the Bill of 1888—and which will have power to look after labourers' cottages, establish libraries, repair the roads, and attend to many other matters. The leaflet goes on to say that they would have carried their proposals into practical effect before now but for Radical obstruction. I do not complain of that, for I suppose the writers of these leaflets have general instructions to fill up any blank spaces with "Radical obstruction." If there is one subject on which the Radicals never offered any obstruction it is District Councils, and if the Government had introduced a Bill dealing with that subject, instead of their attempt at temperance reform last year, they would not have had the slightest difficulty in bringing it to a successful issue. I think I know the views of some of my Tory friends in rural districts on this subject, and I believe they will strongly protest against Tom, Jack or Harry having an equal voice with themselves on parochial affairs. For my own part, I am sure that by degrees, they may be slow degrees—when Local Government has died out it cannot be revived in a day—I am quite sure we shall find our village people worthy of a trust of this sort. We shall be able to give those who must leave the villages, many of them strong, vigorous, enterprising men, a better knowledge of Local Government than they have at present; we shall accustom them to a sense of public responsibility—and as to those who remain behind, we shall be able to brighten their lives and give them a sort of education they have never had before. The process may be slow, but we must be patient with people who have had so few chances, though, for my own part, I do not believe in any speedy cure for the grave difficulties and hopelessness which beset much of our village life, due to a great variety of causes. The House of Commons can, by the means I have indicated, provide a training school in public responsibility and self-government at the very door of the people. Every example of such efforts in other countries shows they are almost invariably attended with success. It is in order to grant these responsibilities, to provide that kind of training in citizenship of which I have spoken, that I think we may heartily and earnestly ask the House of Commons to pass the Resolution which stands in my name.

Mr. J. MORLEY (Newcastle-upon-Tyne): I beg to second the Resolution.

Motion made, and Question proposed,

"That, in the opinion of this House, no measure of Local Government for the rural districts of England and Wales will be satisfactory which does not provide for the reform of Vestries and the establishment of Parish Councils, so as to secure to the inhabitants of country villages a reasonable share in the management of their own affairs."—(*Mr. Arthur Acland.*)

*(9.44.) Mr. HOBHOUSE (Somerset, E.): There was a great deal in the excellent speech of the hon. Member who moved the Resolution with which I cordially agree. When I first saw this Motion on the Paper, drawing attention to the unsatisfactory position of Local Government in rural districts, I sincerely hoped that I should have the pleasure of supporting him. I thoroughly agree with him that it is unsatisfactory, and I am certainly not one whit behind him in wishing for its speedy reform. But I have two very strong objections to his Resolution in its present form. I object to it because it is a negative Resolution —a Resolution which, if it be carried, is more likely to delay Local Government reform in this House of Commons than to advance it — a Resolution which does not affirm the urgency of this reform, but which is in the form of an Amendment to the Second Reading of the District Councils Bill—a Resolution which, as my hon. Friend himself explains, requires a fundamentally different Bill to be introduced as regards District Councils from the provisions which were before this House three years ago—a Resolution which also, if he will allow me to say so, seems intended rather for consumption on public platforms than for practical use in this House. Such a Resolution is surely one which those who wish for a speedy settlement of the present difficulties which surround Government in rural districts cannot very well vote for. My second objection to the Resolution is that it gives quite an undue prominence to the parish as related to the district; it exaggerates the functions of parochial Government, and entirely ignores the district. It tends to put Local Government reform in the future on a wrong basis, and, in effect, it puts the cart before the horse. Therefore, the carrying of this Resolution will, in my opinion, embarrass rather than aid those who are anxious to put Local Government on a more satisfactory basis in the future. The present position is eminently unsatisfactory. We have got the reformed County Councils above, and below we have the chaos of overlapping areas and unreformed authorities and conflicting rates, which has been so often alluded to. The only way, in my humble opinion, to evolve order out of this chaos is to unify areas, to create proper District Authorities, and to concentrate in those authorities all the powers which appertain properly to district affairs—powers relating to the Poor Laws, highways, and sanitation. And then it must be secured that the District Authority is brought into proper subordinate relation to the County Council. Care must be taken that this District Authority is not only the only rating authority within its district, but that it is the predominating administrative authority. That being so, the question arises, what is to be the principal unit of district government? I should certainly gather from the remarks of my hon. Friend, that his opinion is that the parish ought to be the predominant unit in District Government. Certainly the choice lies between the parish on the one hand and the Union or Rural sanitary District on the other; and it seems to me that the Motion affirms the necessity of setting up in every parish, or at all events in every parish of tolerable size—for my hon. Friend did not clearly define what, in his view, ought to be the exact number of the population which should be required,—a Parish Council endowed with sufficiently exten-

sive powers to make it the serious rival of any District Council. With regard to the reform of the Vestry, I am willing to admit that I am very much at one with my hon. Friend in that matter. I confess that our present Vestry needs reform; but I decline to put the reform of the Vestry side by side with Parish or District Councils, because, after all, the Vestry has extremely little to do in the matter of local government. It ought, moreover, to be borne in mind that there are many Vestries which are conducted in a way that fairly meets the needs and wishes of the inhabitants; and, therefore, this reform of the Vestry is not such a pressing thing as seems to be imagined. My hon. Friend has made light of the question of the size of parish areas; but I must say I think it necessary to impress this fact on the House, because, after all, in choosing new areas, the number of the population is the most important point to be considered. In England and Wales there are some 15,000 parishes; and about half of these have a population of under 500. I have not with me the exact figures; but from the Returns which were published some years ago, it may be gathered that there were some 6,000 parishes in England and Wales in which the population was less than 300. In my own county of Somerset we have 550 parishes in 300 of which the population is under 500, and in Norfolk I find that out of 800 parishes no less than 600, or three-fourths have a population of under 500. Thus, more than one-half of the parishes in England and Wales have a population of under 500 people, and yet that is the area my hon. Friend thinks the most suitable area in which to establish Councils with extensive powers. There are only two arguments, as far as I know, for taking the parish as the principal area for District Government. The first is that it is an ancient institution to which a large amount of local sentiment attaches. That is naturally an argument which recommends itself extremely to hon. Members on this side, and which also recommends itself to me. But when you come to examine the size of the parishes, the amount of re-arrangement, and, in some cases, of sub-division which they will have to undergo, it becomes perfectly clear that your reformed parish will be very different to the original parish, and will probably become an area to which very little local sentiment attaches. The other argument is that the parish is a small area containing a number of inhabitants who could meet together for the purpose of discussing matters of Local Government, and would not be barred by distance from so doing. But there is this fatal objection—experience has shown us that these small areas have been found to be unsuitable both for Poor Law and for highway administration. I think it will be admitted that the parish would also be a most unsatisfactory area for sanitary administration. ["No."] If that is not admitted I might remind the House that when the Local Government Bill was passing through it, there were serious complaints from hon. Members on this side of the House that sanitary matters could not be satisfactorily administered in small areas, and for that reason steps were taken to enable the County Councils to appoint sanitary officers. On the other hand, I may remind the House that the sanitary district which was practically brought into existence by the right hon. Gentleman the Member for Halifax at a date subsequent to that at which the present Chancellor of the Exchequer proposed the parish should constitute the area of county government, has been found so convenient in practice as to have been almost universally adopted for all new district purposes during the last 20 years. I think this will constitute a very strong argument for the sanitary district against the parish. The sanitary district is not such a large area that men cannot meet together to discuss local affairs, even in the most scattered parts of the country, but it is large enough to give a choice of able and competent administrators. Now my hon. Friend proposes to set up Parish Councils in every parish, and I want the House to realise how these Parish Councils would work, and I think that in so doing I am entitled to call in aid the Bill of last year which was introduced by my hon. Friend the Member for Rugby. The House is able to judge from that what kind of powers the Parish Councils are likely to have if they are set up according to the wishes of hon. Gentleset up for any parish which desires it. I would further urge that such reforms are greatly needed. The present difficulties existing between the County Councils and the District Councils are really of an urgent and an awkward character. Many County Councils have hung up the question of the maintenance of the main roads until District Councils shall have been created. The responsibility of maintaining roads and bridges being now vested in the County Authority, the improvements required mainly for the benefit of particular localities cannot be effected at the cost of those localities. The Allotments, Housing of the Working Classes and Sanitary Acts are not properly administered, owing to the want of a popularly elected District Authority. These evils are fully recognised. The County Councils Association, at a meeting the other day, passed a resolution by a majority of 2 to 1 urging the introduction of a District Councils Bill. On behalf of all interested in Local Government, I would make a strong appeal to the President of the Local Government Board to redeem the promise he has so often made, and produce a District Councils Bill. Even if there is no possibility of passing the Bill this Session, much good would result from the introduction of the measure. In dealing with such a complicated subject as Local Government, the more time that is given for the consideration of the questions involved, the more likely is there to be produced a good measure in the end. I believe that no time will really be lost by giving a Second Reading discussion to the District Councils Bill this Session. I feel sure the right hon. Gentleman will be a willing party to this appeal, and that he will not wish to leave the great reform he has undertaken incomplete. He will not wish it to be said on his retirement from office that the system of Local Government is left, as the Latin poet has said—if it is still allowable to quote Latin in this House—

> "Desinit in piscem mulier formosa superne."

Above we have a well-planned and successful superstructure of County Government, while below we have nothing but chaos. I trust that by accepting this

Amendment the right hon. Gentleman wlll give a further pledge for the introduction of that Bill which is to complete his scheme of Local Government on sound and satisfactory lines.

(10.22.) MR. HASTINGS (Worcestershire, E.): I do not desire to say one word against the introduction of improved Local Government into our rural districts. I think, however, that the hon. Member who brought forward this Motion has done a little injustice towards the inhabitants of rural districts in imagining that they do not avail themselves of the means they at present have of making their voices heard and of improving their local administration. With regard to County Councils, I was very much struck with the interest that was taken in my own parish in the election of a County Councillor nearly three years ago. I was asked to take the chair at a meeting, and although it was a night in November, and was pouring with rain, and although many of the people had to come a considerable distance, there was a large attendance of all classes, and the keenest interest was taken in the question who was to represent them on the County Council. I listened to what the hon. Member said as to the indifference of the rural populations to District Councils, and their desire for Parish Councils. I am frequently in every parish, I believe, in my own constituency, and I have been asked again and again within the last 12 months why the District Councils Bill has not been brought in, but not once have I been asked if there is to be a Parish Councils Bill introduced. The hon. Member will allow me to say that I cannot agree that Parish Vestries are so very ineffective as he seems to imagine. In my own parish we have Vestry meetings much more frequently than once a year, and they are very well attended. I was present at one not long ago, called at the wish of the electors, because it was believed that the Poor Law and sanitary administration was not properly carried out by the parish. Men of all classes were there, and they showed complete ability to understand the questions at issue, and to manage their own parochial affairs. Although there is no doubt that the Vestry system requires amendment, it might be made much more effective if it were placed upon more modern lines than it is on at present, and I do not see why it should be superseded. I believe that reformed Vestries would much more commend themselves to the minds of our rural population than Parish Councils. I do not think it is desirable that we should search for a more distant object when we have before us a question that is ready for immediate solution. It is for District Councils that we ought now to press; and it is because I feel that the bringing forward of a Parish Councils Bill would seriously embarrass us in pressing for District Councils that I support the Amendment. It may well be that at some future time we may go on from District Councils to a further development of Local Government. I believe, however, that District Councils can now be brought practically before us, and I therefore ask the House to say that District Councils shall be first constituted.

Amendment proposed,

To leave out all after the words "provide for," in order to add the words "the grouping of rural parishes under popularly elected district councils, and the effective control of local affairs by similar bodies in urban and populous places, and that such further reform of Local Government in rural districts is urgently required,"—(*Mr. Hobhouse,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

*(10.27.) MR. SEALE-HAYNE (Devon, Ashburton): I desire to say a few words in support of the Motion, and I must congratulate my hon. Friend (Mr. A. Acland) on having brought the question so fully and ably before the House. I regret that the hon. Member for East Somerset (Mr. Hobhouse) should have endeavoured to drag a red herring across the scent by substituting an Amendment relative to the establishment of District Councils. The hon. Member for East Somerset is a supporter of Her Majesty's Government, and Her Majesty's Government have promised us District Councils. When they introduced the Local Government Bill of 1888 they promised to deal with the question of District Councils in the following Session. That promise was not kept. I believe they also promised to deal with it this Session, and it seems to me there is very little chance of that promise being kept. However that may be, as the hon. Member for East Somerset supports Her Majesty's Government, I take it that he ought to be satisfied with their promises, and not throw obstacles in our way, who desire to go at once to the root of the matter by creating Parish Councils. It has been acknowledged by all those who have undertaken the question of Local Government Reform that in order to establish a satisfactory and thorough reform you must begin with the parish. The hon. Member for East Somerset desires that the district should be the unit of Local Government. The district, in my opinion, is too large, and I think that in some instances even the parish is too large. I live in a parish five miles away from the centre of Parochial Government, and I have the pleasure of paying for lights which I cannot see, for drains which are useless to me, and for burial grounds, recreation grounds, and other supposed local advantages. To make the anomaly more absurd, the next parish within a few hundred yards of my residence provides some of these things, should I require them, at the expense of their ratepayers, whilst I have to pay a considerable rate for those which are absolutely useless. I admit that in order to obtain a satisfactory Local Government we should begin by readjusting our areas; and whether you call these units of Local Government parishes or districts, the beginning must be made by ascertaining first of all the proper dimensions to the local area, and adjusting the local boundaries to meet the necessary requirements. I live in the West of England, a little further west than the hon. Member for East Somerset. In my part of the world we do not care very much for the squire, and we do not pay much attention to the parson; but we rather want to get rid of the dominating influence of both the squire and the parson in parish matters. We want to have the control and management of our own affairs. First, we want to control the allotments of the parish; we also want power to take land on compulsion for the purpose of allotments. I, for one, would go even a

step further, and give them power to take land for the purpose of small holdings, subject to the control of the District or County Councils. This, I think, is a *sine quâ non* for rural parishes in the West of England. We also desire that the parish should have full control of the parochial charities, and be able to administer them irrespective of denominational considerations. We know that they often get into the pockets of those who are, or represent themselves to belong to one denomination, and we want them to be administered fairly by Council elected by the people on which all parties are represented. Again, we feel very strongly on another point; we have an Established Church and the clergy of that Church, I assume, are our servants as long as the Church is the Church of the nation. We desire, therefore, to have some control by means of Parish Councils over their nomination, and to be able to get rid of those clergymen who do not satisfy their parishioners We desire to be placed in the same position as our Nonconformist' friends, who are able to select such ministers as will serve them in a suitable manner. As long as the Church of England takes the national money the clergy ought to be subject to national control. Then, again, the Parish Councils ought undoubtedly to have some control over the relief of the poor. I do not say entire control, but sufficient to enable them to amend the manner in which the aged and infirm are dealt with. I am afraid it is often very harsh under the management of the Guardians. Then, again, the sanitary condition of the villages ought to be in the hands of Local Parish Councils; and where there are no active and efficient School Boards, I think it would be expedient to place parish school management in the hands of Parish Councils, because, being elected by the people, they would be the proper authorities to exercise control. Beyond this, we desire to have control over the management of open spaces and commons, believing that the Parish Councils on the spot would be able to keep better watch over any encroachments that may be made than is the case under the present system. In fact, we want our Parish Councils to have the same power as the Town Councils. We want to get rid of the various Boards which at present in some parishes exercise an overlapping authority which leads to a chaos of control. There is also no reason why Parish Councils should not also have the control of all burial grounds, in which case they would certainly put an end at once to many of the scandals that are common at the present day, when high-handed action is taken by clergymen of the Church of England which is the cause of gross offence to many of their parishioners, and contrary to the true spirit of Christian charity. I do not see why the chief of the Parish Council should not have the same position as the Mayor of a municipality, and be made a Magistrate of his district. By doing this we should satisfy the want felt by the people that they should have some control over the appointment of the Magistrates. By giving the Chairman of the Council the powers of the Magistrate you would ensure the election of the best men in the parish, who, in such case, would be induced to come forward. If you wish to set up a thorough system of Local Government you must begin at the foundation and re-constitute the parish. I assure the House that this reform is ardently desired in every rural district; and, from personal experience, I know that there is no more popular topic on which you can address a rural audience than that of showing them how they may get control of their own affairs. Whatever may be the fate of this Resolution, I trust the Government will think fit to give this matter their most earnest consideration; and that when they introduce, as I trust they will within a short period, a further measure of Local Government, by bringing in a District Councils Bill, they will at the same time include the appointment of these Parish Councils, and thus satisfy a great and growing demand on the part of the people of this country.

(10.38.) MR. LLEWELLYN (Somerset, N.): I came to the House to-night in order to hear from my hon. Friend what work he intended to give these Parish Councils which has not hitherto been conferred on the Vestries. In addition to that, I wanted to hear something I have not yet heard, namely, how he proposed to group the small parishes together. That is a practical difficulty which has occurred to me. I see great utility and advantage in the case of many parishes arising from the constitution of Parish Councils, but I think they ought to be of a sufficient size, and that the difficulty is not removed when the hon. Member for Rotherham tells us we must merge the small parishes in the best way we can. My hon. Friend has told us that in the small parishes there is no sentiment. My experience is that the smaller the parish the more sentiment there is in regard to it, and that if you try to group two small parishes you will have a more difficult task than in the case of two large ones. Differences arise between the smaller parishes which do not exist between larger ones, and if you lump together three or four small parishes under one Parochial Committee you will necessarily raise questions of very considerable difficulty. I was particularly struck by the impractical way in which the Mover of the Resolution, and those who supported him, dealt with this question. I should like to know how many hon. Gentlemen who adopt these views ever attend parish Vestries, how many hon. Gentlemen opposite, for instance, attended the Easter Monday Vestry in their own parish this year? My hon. Friend made certain statements which puzzled me immensely. He spoke of a state of affairs which I hardly knew of as existing under the present law. For instance, the hon. Member for Rotherham has said he knew of a case of a Vestry who got rid of a Guardian. How, I ask, can a Vestry get rid of a Guardian? The Vestry has no power to appoint a Guardian, and, therefore, has none to take away his office; although I can imagine cases in which they might think it very desirable that an obnoxious Guardian should be got rid of. The hon. Member also said he knew a parish where the accounts had not been audited for years, but how about the district audit, how had they got over the presentation of the books half-yearly to that audit? The hon. Member also said he knew a parish where a Vestry meeting had not been held for four years. I want to know how such a thing could have taken place. I know that Vestry meetings are not called very frequently in the rural districts, but they are always held when required if the parish expresses a wish to hold them. Again, the hon. Member told us cases in which Vestry meetings are held at hours that are not convenient to the bulk of the local community. That, unfortunately, is true; where there is a whip up the labourers may be got together, but as they have not attended those meetings regularly, they do not take much interest in the business, and I think it very desirable that all Vestry meetings should be held at hours at which a labourer can attend them. Again, my hon. Friend wished us to believe that it was a matter of constant occurrence for Vestry meetings to be held in public houses. For my part, I never heard of such a thing in my life, and I do not believe it can have happened in more than half-a-dozen parishes in England. At any rate, such a scandal could not exist if public attention were once called to it. For my part I am anxious to see in certain parishes some sort of practical committee that might be more useful than the existing Vestry. Under the existing Sanitary Acts all the parochial work has to be delegated or ought to be by the Sanitary Authority to local committees. Those parochial committees are sometimes elected partly by the parish and partly by the Guardians, but as the money expended is that of the parish, I should like to see the parish initiate a great deal more than it does. One great difficulty, however, is that the parish has at present no machinery. It has no clerk, and is obliged to employ the clerk to the Guardians for the work it requires in this way, and this, of course, adds to the expense; but in large parishes this difficulty is got over by the appointment of a Standing Committee to look after sanitary matters. Again, the Parish Authority has to carry out the Allotments Act, the expense of which falls on the parish itself. Again, in almost every parish there are certain roads and approaches which might be left to the Parish Authorities. As it is, the improvements in the roads are not as numerous as formerly; and it would probably be an advantage to give the parish control over such matters. Reference has been made to the question of parochial benefactions. I am certainly inclined to think that during the last 50 years the Vestries have been very lax in looking after benefactions, the result being that in some cases they have been entirely lost owing to their being left to one or two persons to look after, and to this duty having been neglected. But when hon. Members say that those benefactions should be handed over entirely to the control of the Parish Committee, the difficulty arises that they have generally been left to the management of trusts, usually the vicar and churchwardens, or one or two of the principal residents in the parish; and it would be a very easy matter to transfer them to trusts other than those appointed by the donor. We have also had reference made to the question of co-operation and the advantage of setting up co-operative societies in the villages. For my part, I should be sorry to see the co-operative stores set up in many of our rural districts, notwithstanding the fact that they might enable the villagers to get their goods a little cheaper. I should regret to see the small village shopkeeper entirely swept away. At present a great number of widows and poor persons obtain their livelihood by keeping small shops, and I should be very reluctant to see them suppressed by co-operative stores. In conclusion, I hope the hon. Gentleman opposite will give an answer to my question—how does he propose to deal with the grouping of the parishes? I am not averse to voting for a grouping scheme that could be practically carried out, and I can understand that such grouping might be managed in the case of the larger parishes. I think, however, there would be great difficulty in the case of the smaller ones. For my part I am disposed to give more attention than this House has hitherto done to questions affecting the position of those in the rural districts, but I do not think the rural population will be inclined to think so if all we have to give them is the establishment of reformed Vestries. I should very much prefer to see the attention of the House directed to something of a more practical character by which the condition of things in the rural districts may be improved.

(10.55.) SIR E. GREY (Berwick-on-Tweed): I quite sympathise with the hon. Member who has moved the Resolution in his desire for a certain extension of Municipal Government. But I think he would have had more of our sympathy if, in his wish to reform our Vestry system, he had gone further and said he wished them to be put on a more popular basis by the abolition of the plural vote. The hon. Member expressed regret that Vestry meetings are frequently called at an hour when the labourers are unable to attend. One object of the Motion is to make such a scandal as that impossible. The Amendment before the House contemplates the grouping of parishes as a desirable thing; but while the speech of my hon. Friend the Member for Rotherham contemplates the grouping of parishes as a system that might be resorted to on exceptional cases—why, I ask, has the Mover of the Amendment thought it necessary to bring forward a proposal to displace the Resolution of my hon. Friend the Member for Rotherham? He has told us that we are putting the cart before the horse; for my part I do not see that we are doing anything of the kind. I do not know whether the Mover of the Amendment desires to present us either with the cart or the horse, but at any rate the object of the Resolution is to ensure that we shall not have one without the other. I suppose the Amendment was brought forward from this side of the House in order that a proposal from this side for the establishment of District Councils might be at once answered by the statement that in view of the Bill promised by Her Majesty's Government, the Resolution of my hon. Friend was an intrusion on their domain, and showed a want of faith in them, which they had done nothing to justify. But the fact is that the Resolution does not touch the question of District Councils. It merely refers to the importance of establishing Parochial Councils. The Mover of the Amendment seemed to be afraid that by the establishment of Parochial Councils we should fail in finding the best 12 or 20 men to conduct parochial affairs; but the supporters of the Resolution assert that it would be the means of arriving, by natural selection, at those 12 or 20 men who are best capable of conducting parochial affairs. At present we have no means of finding out which are the best men for this work, and at present there is a strong feeling in the country that the more capable men are not contented with country life, and are leaving it for wider and more ample spheres. Although, undoubtedly, country life has considerable advantages, there is no doubt that it lacks variety and scope. There are, however, two things which help to compensate those who reside in the country for the want of that variety which they find in towns. First of all there is the interest and enjoyment a man has in larger and more extended private possessions, and, in the next place, the opportunity afforded him by the performance of those public duties which are always opened to him in the rural districts. Of course, the ordinary inhabitants of the villages have little to boast of in the way of private possessions, but, at any rate, they have more opportunity of participating in the performance of public duties. In proportion as his private possessions are narrow, we ought, I think, to give the villager some chance of feeling that he is a member of a living and growing community. As an instance of the way in which the desire for more scope among villagers arises, I may mention the establishment of reading rooms. Those who take charge of a movement are invariably told that if they wish to make it a success the first thing is to put it under the control of the people. What does that show? It shows that in every village it is not necessarily because the villagers are not conscious of the advantages of a reading room—not because they do not want it, or because they are not fit for it—that it often fails, but because it is acaccompanied by that sense of dependence which prevents them getting the full development of it. Take the question of allotments. Apart from the question of rent it seems to me that the success of the allotment system depends on very small things—on the quality of the soil, the size of the allotment, its situation, and the family circumstances and habits of the man who holds it. A Parish Council would be the only body with the proper knowledge of these small details, and with the capacity to appreciate them and adjust them in the most suitable manner. A Parish Council would set the allotment system going, and would be encouraged by success or warned by failure long before a larger body like the District Council had got under-weigh at all. It is time to recognise what is the spirit of the age. Parliament has long been employed in extending municipal enterprise and municipal ownership, and a similar system should be extended to the country villages. It is quite foreign to the spirit of the times that large landowners—sometimes only one or two, or half a dozen in a parish—should continue to exercise as a matter of course a predominant influence over village life. Hon. Members opposite say that landlords and clergymen, the two most influential persons in any village, perform their duties in a thoroughly satisfactory manner, and are the benefactors of their fellow men. On this side of the House there may, perhaps, be some difference of opinion as to the number of their duties, and the degree in which they are performed. Who is to decide that difference of opinion? There is only one possible body to appeal to, namely, the people of the parish. If the influential people in a parish perform their duty in the satisfactory way hon. Members opposite say, they are the guidance of the Parish Council which will fall at once into their hands, and will remain in their hands as long as they prove themselves worthy of retaining it. The result will be that they will have an open recognition of the way in which they perform their duties. If, on the other hand, it is not the case that those duties are universally well performed, it is surely desirable, and the friction would be comparatively small, that we should establish some such body as a Parish Council which may be able to take over the charge of the wage-earning people. There is this further point: There are, no doubt, differences and a certain amount of friction between the various classes in most parishes, and the object of any one who wishes to bring about harmony in country life should be to minimise the interests that are opposed and bring out those that are identical. No better method for achieving this object could be instituted than the creation of a Parish Council, in which farmers, labourers, and others could meet together and come to a fair compromise on points in which their interests are opposed, and at the same time recognise points of union. Some persons say that there is no great demand for Parish Councils, although there is some for District Councils. I think that one of the reasons which has operated hitherto has been the lack of opportunity for villagers to understand what use they may make of Councils when they possess them. The abler spirits have left the villages for wider fields elsewhere, and those who stay behind are so used to the groove that it does not occur to them how much they can do for themselves. What was it that made the best landowners suspicious in recognising and accepting the Local Government Bill? Surely it was the consciousness that the sum of the responsibilities which make up the fullness and worth of life, and make a man able to maintain that dignity without which life can hardly be a happy one, were to be diminished. If that be the case why will they not give people in the villages a chance of exercising such responsibilities? When they know how monotonous country life may be without this scope, why not give people the chance of coming forward and bearing their share of the burden and heat of the day? I think we ought to rid ourselves of the confusion introduced by the Amendment. We ought to consider not only how we may provide an opportunity, but how we may provide the best opportunity, for able and earnest men in every parish to take upon themselves a proper share of the responsibility of performing public duties. If something of the kind be not done, it is impossible for strong characters in any village to continue to stay there, or, if they do stay, it will be inevitable that, instead of developing and using their powers for the advantage of themselves and their neighbours, they will degenerate into a mood of irritation and discontent, and prove a source of danger to the community in proportion as their natures are vigorous and their intellect is strong.

(11.10.) MR. AMBROSE (Middlesex, Harrow): I would point out that no distinction has been made by the Mover of the Resolution between Vestries in London and Vestries in the country. Vestries in London may be almost regarded in the light of County Councils, as they have all the ordinary powers and discharge the ordinary duties of Local Government, but in the country the case is different. A Vestry in the country is a meeting of the inhabitants of the district held ordinarily once a year for the purpose of choosing Churchwardens, Overseers, and Surveyors of Highways. A Vestry in the country, therefore, has very little governing power whatever and there is no basis for Local Government in such a body. To form a body with proper governing power a new constitution would be necessary. How could the affairs of the parish be governed by a body which ordinarily met only once a year? If we are to proceed on the lines of Local Government, we ought not to undo the whole of the work of the last 40 years. In 1848 the incapacity of the Vestry was recognised for all purposes of Local Government, and when the Public Health Act of that year was passed power was given for combining two or more parishes, and so Local Boards were formed for local purposes, such as sewage, lighting, the maintenance of roads, and all the ordinary functions of Local Government. I do not mean to say that Act was perfect by any means. Another Act was passed in 1858 improving upon that Act, and in 1875 a very useful measure was passed for establishing a system of Local Government. Those who study that Act will find that if the powers it confers were put in force we already possess all the advantages that are to be obtained from the system of grouping parishes. An hon. Member has said that what we want is to abolish the parson, the squire, and the Church. I do not recognise any one of these matters as being within the proper province of Local Government, and I am sorry that such a question should have been introduced in a Debate of this kind. It seems to me that we are making a mistake when we seek to improve Local Government by ignoring what has been done during the last 40 years. That may be good or bad, but it seems to me to be out of the question to try to uproot it. For Poor Law purposes the areas of the parishes were too small for effective government. Therefore the areas were enlarged by combining a number of parishes. If that principle is established in District Councils you embody all that is contained in the Resolution. I have no sympathy with the Resolution on the one hand or with the Amendment on the other. It seems to me the best course to pursue would be to leave the matter to be dealt with by the Government in their District Councils Bill so that the defects of the present system—and I do not say that there are none—will be done away with. The true plan is to make the best of what has been done and improve upon it—to pass a District Councils Bill on the lines of previous legislation, merely transferring to another body the power at present exercised by Representatives of the rural districts.

*(11.19.) SIR WALTER FOSTER (Derby, Ilkeston): I congratulate the hon. Gentleman who has just sat down having made a speech against both the Resolution and the Amendment. Both the Resolution and the Amendment agree in one particular, and that is in passing more or less of censure on the Government for not having fulfilled their pledges with reference to the completion of Local Government. Both say that it is necessary that there should be some further extension of Local Government in rural as well as in other districts. I go further and say it is a matter of urgent necessity. I think Her Majesty's Government are open to censure for not having in this, or last Session, taken any steps to fulfil their promise to give Local Government to the smaller units of rural districts. The great importance of this is present to the mind of every one acquainted with the conditions of life among our rural population. It is a matter of urgent importance, as the natural complement to the newly created system of Local Government, which many of us think was begun at the wrong end, and which ought to have built up from the unit of the parish. The rural districts are practically deprived of Local Government, because the County Councils which have been created are too far removed from the villages to exercise any influence over village life, and the inhabitants of these villages look forward with anxiety to the time which was foreshadowed, and to the scheme which was indicated, by the Chancellor of the Exchequer in what I may call his better days, when he spoke strongly, and as I think wisely, on this subject. I may venture to recall his words in 1885, when he said—

> "I hold that the smallest village should know who its chief man was. . . . I proposed that in every village there should be some responsible head man. I was extremely anxious that throughout the rural communities we should be able to develop some civic life. I trust that the Liberal Party will go forward on those lines."

Well, the Liberal Party has steadily continued in its desire to go forward on those lines, but I am not so sure that the right hon. Gentleman has been equally constant. Last year, in the Debate on the Address, we had several speeches on this subject, and in that Debate I took part. I quoted from official documents, from the Reports of Medical and Sanitary Inspectors, and showed the deplorable, I may say the revolting, sanitary condition of the life led in some of our rural districts; and the picture I presented made, I think, some impression upon the House at the time. But those conditions still continue. We have done nothing; we can do little or nothing, under the present condition of Local Rural Government, to put the sanitary arrangements in these villages in the state in which they ought to be. The difficulties arise from the fact that the people who feel the pinch of these insanitary conditions, who suffer from the defective system of drainage or bad water supply, are the people who have little or no voice in connection with the management of these matters, and until they have that voice in Parish Councils, these things will never be satisfactorily dealt with. The whole system of sanitation in these small rural communities is rotten; for the reason that the sanitary control is placed in the hands of men elected not primarily to carry out functions for the public health of the locality, but for the administration of the Poor Law, and, therefore, sanitary administration is a secondary matter with them. As such, these matters are put off to the end of their meetings; little time is left for their discussion, and their functions in reference to public health are discharged in a perfunctory fashion, or not at all. The neglect of sanitary conditions in our rural life is a disgrace to our time. In the interest of health and morality it is high time this state of things was altered, and a system of popular Local Government formulated. This condition of things has grown out of the fact, that the people have been gradually deprived of all power and control in local management. What the hon. Member for Ashburton (Mr. Seale-Hayne) has said is perfectly true. During the last century or more there has been growing up a system of patronage, under which all the local control has passed into the hands of a few superior residents who have discharged all administrative functions, and I am sorry to say have done their work very badly. We want to go back to the old system, when every individual had some interest and influence in the management of local affairs. If every dweller in a country district were given a voice in the management of the village affairs, a new interest would be given to the lives of the inhabitants, many of whom have been qualified by the operation of the Education Act of 1870 to undertake the duties of citizenship. They should be given control over sanitary matters and over local charities. Fewer cases would then occur of the filching of public lands from the community and of maladministration of charities. From 20 Officers of Health residing in different agricultural counties I have received deplorable accounts of the way in which the people are housed. In many of these districts the houses are described as unfit for human habitation. One medical officer said, that the houses he had seen would have been a disgrace to the slums of a large city. Others spoke of houses that in some cases had only one bedroom, in many cases only two, and in very few three. In such a house, a man with a wife and a growing family cannot bring up his children under conditions which make decency and morality possible. We want the housing of these poor looked after with greater care and diligence, and if we had Parish Councils that care would be exercised. We believe that in the interests of the morality and well-being of the poor in the country districts one of the best reforms we can make would be the creation of Parochial Councils in which the people would be able to look after their own affairs. Such Councils would do the work more efficiently than is the case at present under the Rural Sanitary Authorities, because they would work under the open and constant criticism of the community; and the result would be to bring about not only a healthier, but a higher condition of life in the rural districts.

(11.32.) COLONEL KENYON-SLANEY (Shropshire, Newport): It seems to me that there has been a general consensus of opinion on the part of speakers on both sides of the House as to the desirability of greater development of self-government, and that the main point of difference is as to whether we shall attain this common end better by the creation of District Councils, or whether they should be preceded by Parish Councils. ["No, no!"] I fully understand that some speakers say this is not the point; but from the speeches that have been made this evening, there can be no doubt that the question is practically this: Shall we be wiser in developing the County Council through District Councils as far as Parochial Councils, or in beginning with the latter and building up from them? In my opinion, we shall be decidedly wiser in going downwards from the County Council to the Parish Council. We have been told not to forget that District Councils are to be the next step in the Local Government programme of Her Majesty's Government; and I have no doubt that the call made on the Government in this respect will receive a response from the Treasury Bench to-night. Personally, I sympathise with much that has fallen from speakers on both sides of the House. The Mover of the Resolution has my sympathy in much that he has at heart. He thinks we ought to recognise that our poorer population not only have wants that need satisfying, but have also ambitions and aspirations we ought not to be slow to acknowledge; and in that belief the hon. Member has my complete assent. But I think there has been some disposition on the part of speakers to-night to forget that many of the reforms on which they laid especial stress have had the consistent support of, and in many cases owed their initiation to, that class of landlords of whom they have spoken so cheaply. The Mover of the Resolution and those who supported him would have been wiser and more consistent if they had recognised that the most considerable advantages in the direction in which they desire reform have been the outcome of the sympathy of the landlords with the rural population around them, and that there has been no disposition on the part of the landlords to withhold from the people the advantages of such reforms. The hon. Member who preceded me laid great stress on the question of sanitary dwellings. I am with him in that matter entirely, but I do not think it can be laid to the charge of the modern landlord that he has been slow to recognise the necessity of sanitary dwellings. There is hardly one improvement which is more marked than that which has taken place in the dwellings of rural labourers during the last 10 or 20 years. The improvements that are taking place in that respect might receive some check if there were any premature arrangement made by which such matters might be handed over to Parish Councils as suggested by the Mover of the Resolution. It is said that one of the results of the Resolution, if adopted, would be that the right men would find themselves in the right place, and that those entitled to the confidence of their neighbours would find themselves in the proper position. That is the principle on which I understand the Government acted in bringing in their Local Government measure, and I am fully under the belief that the development of the principle of working from the County Council downwards would be attended with the same result. I am sorry I cannot speak with the same satisfaction of the speech made by the hon. Gentleman representing the Ashburton Division of Devonshire. I certainly had hoped that when we came to discuss this question there would not have been attributed to a class more vitally interested than any other class in the social development of the rural population motives so thoroughly unfair.

*Mr. SEALE-HAYNE: I attributed no motives.

Colonel KENYON-SLANEY: The hon. Gentleman expressed his desire to sweep them away as stumbling blocks to the happiness of the population.

*Mr. SEALE-HAYNE: I expressed no such desire.

Colonel KENYON-SLANEY: If I have misinterpreted the hon. Member, I am willing to apologise, but I think I have expressed the meaning of his words as they reached me across the floor of the House. I would only wish to make this much clearer—that in voting for the Amendment and not for the Resolution I do so because I believe it is more likely to bring about an effectual and useful reform than the Resolution. It is not because I have the slightest desire to stand between the rural population and self-government in parish affairs that I prefer the Amendment to the Resolution, and that I therefore support it.

*(11.42.) Mr. F. S. STEVENSON (Suffolk, Eye): I hope that the Debate will not close without some expression from the Government Bench of their attitude upon this question, for their supporters appear to be divided in opinion. The hon. Member for the Harrow Division says he is equally opposed to the Resolution and the Amendment, whereas the hon. and gallant Gentleman who has just sat down has expressed his intention of voting for the Amendment. The Amendment is really one of a dilatory nature, and apparently based on the notion that the hon. Member for Rotherham was pitting Parish Councils against District Councils. As a matter of fact, neither he nor those who support him are in any way pitting Parish Councils against District Councils.

What we emphasise is that in the rural districts there should be three distinct stages of Local Government in those matters wherein the people are most interested, and that those in which they are most affected are where they are living in the smallest area. The hon. Member for Somerset has contended that the language of the Resolution does not imply urgency in this matter, but I would remind the House that this question has been declared to be urgent over and over again by the present Parliament. It was so declared by Resolutions more than once brought forward by the hon. Member for Halifax, by an Instruction which I myself moved on the Local Government Bill of 1888, and also by an Amendment moved in 1890, by the hon. Member for the Rugby Division of Warwickshire tending in the same direction, although only referring to the question of allotments. On each of these occasions we emphasised the fact that there was urgent need for a thorough reform of parochial government. Some points of detail have been raised to-night, and one of them is embodied in the Amendment of the hon. Member for Somerset, who has put to the front the necessity for a readjustment of boundaries. No doubt that is very desirable, but this process is going on under the Divided Parishes Act, and the number of very small parishes is not so large as was sometimes supposed. The number of small parishes is very much less than hon. Members imagine. If the hon. Member confined his attention to parishes of less than 100 inhabitants, he would find that they contain not more than 200,000 inhabitants. That is clear from the Census of 1881. In France, with a population of 36,000,000, there are no fewer than 36,000 communes, which have self-government in the fullest sense of the term as far as the machinery of self-government is concerned. In England and Wales, with a population of rather more than 26,000,000, the number of parishes is 15,000, and as we have larger towns compared with France, I think it will be found that there is really not much difference between the parishes of France and the parishes of this country. There are two distinct points raised by the Resolution — one, the reform of the Vestries, and the other the establishment of Parochial Councils. Though those are distinct matters, I think they are capable of being treated at one time. I am strongly of opinion myself that there is really no limit of population below which any reform of the Vestry would be an impossibility. The reform of the Vestry system might be effected on the one vote one man principle, and perhaps for convenience and to meet certain prejudices it might be possible to limit the number of the inhabitants of the parishes to perhaps 70 or 75. But as far as Parochial Councils are concerned they stand on a somewhat different level, and no doubt the population ought to be raised in that case. What the precise limit should be is a matter for subsequent investigation. But that need not be a difficulty in the way of the acceptance of a Motion of this kind. What we desire to emphasise by the Motion is the principle that our parishes ought to have the fullest possible measure of Local Government. We want a reform of the Vestries and the establishment of Parochial Councils elected by the people, to deal with distinctively parochial affairs. In foreign countries, notably in Switzerland, where it has been very much elaborated, there is a distinction made between the larger and smaller parishes, which has been attended with a considerable amount of success. I cannot but think that such a distinction between the parishes in this country would obviate many practical difficulties and facilitate a scheme of Local Government. The question has been raised why this question is being pressed forward at the present time. As far as my own constituents are concerned, and I believe their view is shared by most constituencies throughout the country, they regard Local Government from the point of view of having full, direct, and equal voice in the arrangement of their own affairs. We are asked by the Mover of the Amendment to choose between District and Parochial Councils. But there has been no proposal for District Councils before Parliament since 1888. Are we to assume that any proposal for District Councils will be simply a revival of the Bill of 1888? If so, then the proposal of 1888 conferred powers of no value, and no human being would care to sit on the Boards which they created. If you give them powers worth having, if you transfer the administration of the Poor Law from the existing Board of Guardians to a body sitting in the intermediate area, and directly elected by the people, on the principle of one man one vote, if you conferred powers worth exercising, then you would have the best-fitted men eager and anxious to serve. As a matter of fact, the two schemes of reform, District Councils and reform of the Vestries, could be carried out simultaneously, and in this matter we want to carry out that policy of similarity and simultaneity which has been allowed so long to remain in abeyance, which the Government met in 1888 with a direct negative, and which has been so long, though I trust not for ever, postponed.

*(11.53.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I think that it is no matter of regret to any Member of the Government, or to any Member of the House, that those who feel strongly upon this question of parish administration should have placed their views on the subject before the House; and I think that it is evident that there is a strong feeling in all parts of the House of sympathy with the desire expressed from more than one quarter that we should endeavour, so far as we can, to put vigour into the life of our agricultural parishes and villages. We all feel that if we can enlist the co-operation of all classes of the community in the work of Local Government we shall be doing a great public service, and much to make the system more perfect throughout the country. If there is one thing that I regret, it is that the hon. Member who introduced the Motion, and one or two other speakers on that side of the House, treated the matter rather more from a Party point of view—I might say rather more acrimoniously—than I think is at all necessary in a matter of this kind. The hon. Member for Rotherham, who usually speaks with a considerable absence of Party spirit, would, I think, have done better to have left out some of the reflections which he made upon the Tory Party in general, and upon the Government in particular, with regard to this question of Local Government. He twitted us with having in three Queen's Speeches promised to deal with the question of District Councils, and with our not having done so. At least he should have remembered that, starting in 1888, when the question first came up, we have had three Sessions, and that a very large portion of two of them have been spent in dealing with Local Government in the counties. We have dealt with England and also with Scotland; and I think that, so far as Local Government reform is concerned, that is not by any means a bad record for the three years. The hon. Gentleman ought also to have remembered that the Party to which he belongs contributed very little indeed to the solution of this great question when in Office; and when he tells us that we made promises in three Queen's Speeches, I must remind him that the Government of the right hon. Gentleman the Member for Mid Lothian in 1882-3-4, in the Queen's Speeches of those years, made absolute promises that they would introduce measures dealing with the reform of Local Government, and did not introduce a single measure on the subject at all. I think that so far as our action is concerned, it may well compare with the inaction of the Government of the Party to which the hon. Member belongs, and that he should remember what his Party has failed to do. If the Liberal Government had begun to deal with the question when they promised to do so, we might now have arrived at a time when the whole question would have been settled in a manner satisfactory even to the hon. Gentleman himself. We have dealt with the question of County Government, and we are very clearly of opinion that we began rightly. The ratepayers of

the counties had really no share in the administration of the rates of the county; but we have organised a system of Local Government which has given to them a share in the administration of county affairs and in the administration and the collection of the local rates, while we have contributed largely to the relief of those rates. When we look at the manner in which the County Councils have been elected, and the manner in which they have done their duty, we see nothing to regret, but, on the contrary, much upon which to congratulate ourselves in having begun by County Councils instead of beginning by Parochial Councils. We believe that the next step in the reform of Local Government is the setting up of District Councils, although we will not deny the importance of many of the points touched upon in this Debate in connection with the administration of the parishes. I am prepared to acknowledge that at present in the rural districts sanitary matters are not dealt with by a body such as ought to control matters of that kind. We attach so much importance to this point that we think a popularly-elected body to deal with sanitary matters and highways ought to be established in the counties as quickly as possible. We believe there is no subject of greater importance to working people than the housing of the working classes. We desire to see that dealt with by a popularly-elected body in the rural districts, and we have given large powers to the County Councils by the Act of last year. We have made it compulsory on the part of the Medical Officer of Health to forward his Report to the County Council. He may make representations upon which the County Council may take action. Therefore, I think the hon. Gentleman will admit we have made a very considerable advance, and we acknowledge that the next step which we ought to take in order to secure the proper administration of the Public Health Law is to set up within the Counties District Councils who would have as their chief duty the administration of that law within the counties. That is why we think the question of District Councils is more urgent than that brought before the House by the hon. Gentleman. We have been twitted with the fact that we have not produced our District Councils Bill, but we have not had sufficient time to deal with such a large question as District Councils. The demands made to-night with regard to the powers to be conferred on the Parish Councils cannot fail to have shewn the extreme importance, difficulty, and complexity of the various powers which different speakers propose should be conferred upon the Parochial Councils. If we had had introduced Bills dealing with District and Parochial Councils, the measures would have been of such importance as to have shut out all other measures of importance during a whole Session. Amongst the various things which the hon. Gentleman thinks should be dealt with by the Parish Councils are Charities, Allotments, Public Libraries, Buildings, Common Lands, certain Sanitary Powers, Fixity of Tenure, and Co-operative Stores, with Trade Unions thrown in, together with the compulsory acquisition of land for small holdings, and the nomination of the clergy and Magistrates for the parish. I think that is a very large budget and a very good order to ask the House of Commons to consider in an offhand way in connection with the other measures which are pressing on its attention. I am sorry the right hon. Member for Newcastle did not speak on seconding the Motion, for I had been looking to him for some interesting suggestions on this question. He made a speech some time ago, I think at Newcastle, in which he advocated the transfer of a certain portion of the Poor Law administration to the parishes.

MR. J. MORLEY: I did not say so.

*MR. RITCHIE: The right hon. Gentleman said that the Parish Councils should have conferred upon them the power of dealing with applications for relief within the parishes.

MR. J. MORLEY: Not on that occasion.

*MR. RITCHIE: The right hon. Gentleman certainly advocated that the Parish Council should have the power of dealing with certain matters of relief.

MR. J. MORLEY: No.

*MR. RITCHIE: I will endeavour to find the passage in the right hon. Gentleman's speech to which I refer. No doubt the right hon. Gentleman safeguarded himself with an appeal to the District or County Councils if it was considered that the relief had been given improperly, in which case the County or District Council might surcharge the parish. I do not know whether the right hon. Gentleman has very much studied the effect of various modes of administering the Poor Law in times past. If anyone attempted to make the administration of the Poor Law a parochial administration he would incur a grave responsibility. It would be an entire reversal of the system which has been settled after much consideration by Committees in order to meet many abuses which previously existed in connection with the administration of the Poor Law. When one looks at the enormously beneficial results of the Union administration of the Poor Law, I do not think that anyone would lightly attempt to disturb that system. It may be of interest to the House to know in connection with this matter what difference has arisen in this matter. In 1857 the number of paupers was 921,000, now it has fallen to 690,000; and I hold that a system which has worked such a reform as that ought not to be lightly interfered with. Anything which would take away the administration of the Poor Law from a large area like the Union and bring it so close to the persons who receive relief as would be done in parochial administration would tend to bring back many of the evils from which the Union system has freed us. It is conceded that the rates in the country fall upon the landlord. If there were a Parochial Council elected largely by labourers, the relief would probably be administered by the majority of the Council, composed of labourers; but if the relief had been improperly given the surcharge on the parish would be borne by the landlords, and not by the labourers. The right hon. Gentleman the Member for Newcastle, in the speech to which I have referred, did not, I find, commit himself to the view that Parish Councils should administer relief, but he said the idea was worth consideration, and gave a quasi-sanction to the disturbance of the present system under which relief is given by the Guardians of Unions. As to the question of sanitation, I am quite sure that the right hon. Gentleman the Member for Halifax at least would not support such a retrograde policy as the breaking up of the sanitary areas which he himself created. I can imagine no course which would be more detrimental to the public health. I am not prepared to take up the position of saying that no reform is desirable in our parochial legislation. I have more than once stated that that reform is desirable. I do not think that it is possible to have a County Council elected upon a popular basis, and a District Council elected upon a popular basis, and to have at the same time the parish Vestry remaining as it is. There must necessarily be reform of the Vestry in its mode of election and its mode of procedure; and when I come to deal with the question again I hope that I shall be able to propose to the House of Commons a mode of retaining certain of the powers conferred on the Vestry, while giving to the District Council powers of delegation to the Parish Authorities. I admit that no scheme of Local Government Reform is complete without dealing with the parishes, and I do not understand the hon. Member for East Somerset to differ from that view. But the contention of the hon. Member for East Somerset is that District Councils should be dealt with first, while the Motion of the hon. Member for Rotherham makes no mention of District Councils. As to the area of parishes, there is no doubt that that is a very important difficulty in the way of reform of parochial administration. With regard to the varying size of the parishes, it may be said that the smaller parishes may be grouped. That cannot be done without difficulty, however. There is as much sentiment in a small parish as in a large parish, and there would be as much sentimental objection to grouping the small parishes as to dividing the large ones. I do not say that this is a bar to reform; but it is a difficulty which must be taken into consideration. The power of grouping and dividing parishes rests with the County Councils, and not with the Local Government Board. When we gave them that power we hoped that they might move tentatively in the matter, and help us to a solution. I trust that I have made the position of the Government clear. I especially desire to complete the work of self-government which we have begun, and I think that the House and the country will admit that we have at least begun well. We have established County Councils on a broad and liberal basis, and we have prepared them for any further powers which may be conferred upon them. By including District Councils in our Bill, we gave evidence that we feel that we ought to deal with these smaller areas. I have to acknowledge to the House that the scheme of Local Government will not be complete until we have dealt with this matter; and we think that there ought to be a link of communication between the three kinds of Councils—between the County Council and the District Council, and between the District Council and the parish organisation. I hope, therefore, that it will be understood that we support the Amendment for the reason I have given, namely, that the hon. Gentleman who moved it desires District Councils to be dealt with first.

(12.25.) MR. STANSFELD (Halifax): Before the right hon. Gentleman spoke I was at a loss to understand how the Government could support the Amendment of the hon. Member for East Somerset; but my difficulty has been increased by the speech to which we have just listened. The Amendment is directed pointedly against the organisation of the parish.

*MR. HOBHOUSE: On the contrary. I said I did not object to the reform of the Vestry, but approved of it. What I did object to was the constitution of the Parish Council as proposed by the hon. Member and his friends.

MR. STANSFELD: I will leave the hon. Member to deal with his Amendment, which is purely negative, while the Motion is at least a positive Resolution. It says that no measure of Local Government will be complete without the introduction of organisation and reform in the parish, and in that sentiment the President of the Local Government Board concurs. That certainly cannot be said to be a negative proposition. The Mover of the Amendment complains that undue prominence is given to the parish in the Motion. That is not so, because the parish has its proper place as the unit of Local Government. The right hon. Gentleman agrees with me that the parish is the smallest possible area. The Amendment practically pits the District Councils against the Parish Councils, and therefore the Mover of the Amendment cannot represent the views of the President of the Local Government Board. The fault I find with the President of the Local Government Board is that the right hon. Gentleman seems to think that the District Councils must come first in a separate measure.

*MR. RITCHIE: No; I did not say that.

MR. STANSFELD: The right hon. Gentleman then differs in yet another point from the Mover of the Amendment which he proposes to support, for the hon. Member for East Somerset undoubtedly desires to separate the District Councils Bill from the Bill dealing with Parish Councils. The right hon. Gentleman now says he did not mean that. What I say is that the next measure must contain both. The right hon. Gentleman has spoken of the possibility of multifarious schemes and proposals for new powers to be given to Parochial Councils, which might occasion considerable trouble and occupy considerable time in discussion. But that is not a proper objection for a Minister to make. He constructs a Bill upon his own responsibility, and upon the responsibility of the Government. It would be for him to put the parish into the Bill, and to confer upon the parish only those powers which he thinks right.

*MR. RITCHIE: The right hon. Gentleman rather misunderstands me. I did not mean to imply that we were not fully responsible; but what I said was that if there was an attempt to graft on any Bill we might introduce such proposals as those indicated it might take a whole Session to pass the measure.

Mr. STANSFELD: I must remind the right hon. Gentleman how he has been treated by this House. When he introduced the great measure of his, which included District Councils as well as County Councils, he was fairly treated by the Opposition, and he will not deny it. Why should he not expect and look forward to similar treatment again? Why does he now get up and without justification attack my hon. Friend and say he made it a Party question, and twitted the Government with their shortcomings? The right hon. Gentleman himself is the man who has tried to make this a Party question. He has made that mistake before. Let me remind him that during the passing of the Local Government Bill the hon. Member for the Eye Division (Mr. F. Stevenson) proposed an Instruction to the Committee authorising them to introduce clauses to reform the Vestry. I placed on the Paper certain proposals, limited in number and moderate in character, and we assured the right hon. Gentleman that we would be content with the adoption of such proposals. The right hon. Gentleman did not say they were exaggerated or too numerous; he did not commit himself in their favour; but the only ground on which he declined to go into them—and he was followed in that line by the Chancellor of the Exchequer and the First Lord of the Treasury—was that he had as much on his hands as he could manage in that Session. The First Lord of the Treasury, in winding up the Debate on the 7th of June, said the Government felt they had entered on a task of great magnitude, and did not think time would permit of the consideration of the question. He added—

"The Government recognised the desirability, even the necessity, of doing much for the improvement of the parish Vestry, and of giving to village life the strength and power which it once possessed; but they had undertaken as much work as they could carry successfully to an issue, and must ask the House to postpone that portion of the Local Government Bill to another Session, when they would be disposed to give it very favourable consideration."

The Government, if they vote for the Amendment before the House, will not be acting in accordance with the spirit of that declaration. If the Government intend to deal with District Councils only, their promised Bill will not be satisfactory. I shall certainly vote for the Resolution of my hon. Friend.

(12.36.) The House divided:—Ayes 142; Noes 175.—(Div. List. No. 131.)

Question proposed, "That those words be there added."

*(12.50.) Mr. RITCHIE: I desire to make clear what the views of the Government are on this question, and with that object I wish to amend the Amendment. I have to propose after the words "district councils" to insert the words "the reform of Parochial Government," and to leave out the words "similar bodies" in the same line, and put in "district councils." The Amendment would then read—

"That, in the opinion of this House, no measure of Local Government for the rural districts of England and Wales will be satisfactory which does not provide for the grouping of rural parishes under popularly-elected district councils, the reform of Parochial Government, and the effective control of local affairs by district councils," and so on.

Amendment proposed to the proposed Amendment, after the words "district councils," to insert the words "the reform of Parochial Government."—(*Mr. Ritchie.*)

Question proposed, "That those words be inserted in the proposed Amendment."

*Mr. J. E. ELLIS (Nottingham, Rushcliffe): I think this is a very extraordinary proceeding. The House has for nearly four hours been discussing a Motion and Amendment which have been on the Paper for some time, and the terms of which are, therefore, familiar to us. It was practically understood that the Government adopted the Amendment, and now the right hon. Gentleman asks the House to adopt words which the House has had no opportunity whatever of considering. In the circumstances, I have no option but to move the Adjournment of the Debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. J. E. Ellis.*)

*Mr. RITCHIE: If the hon. Gentleman persists in his Motion the Government will not oppose him. I desire to say, however, that there is nothing whatever inconsistent with what I said in my speech in the Motion I now make. I only desire to introduce words I think will be acceptable to both sides of the House.

Mr. CONYBEARE (Cornwall, Camborne): By reading his Amendment, the right hon. Gentleman certainly failed to convey to our minds what the purport of his Amendment is. Under these circumstances, it is rather hard to ask us to accept the Amendment. I hope my hon. Friend will divide the House.

Mr. T. M. HEALY (Longford, N.): I think I can make a suggestion which may be generally acceptable: it is that Her Majesty's Government should provide the House with a day for the discussion of their own Motion.

Question put, and agreed to.

Debate adjourned.

ILLITERATE VOTERS.

(12.55.) Mr. WEBSTER (St. Pancras, N.), who had the following Motion on the Paper—

> "That, inasmuch as the provisions of the Ballot Act, 1872, in regard to the votes of illiterate persons, lend themselves to defeat the object of that Act, and owing to the spread of education are now unnecessary, this House is of opinion that the said provisions should be abolished,"

said: This question appears to me to be——

Mr. CONYBEARE (Cornwall, Camborne): What is it?

*Mr. SPEAKER: Order, order!

Mr. WEBSTER: This question appears to me to be one of such urgent public importance that I ought to raise it now, even though I have only five minutes before me.

Mr. CONYBEARE: On a point of Order, Mr. Speaker. What is the Motion.

*Mr. SPEAKER: Order, order! Mr. Webster.

Mr. WEBSTER: I should like the House to consider what was understood to be the object of the Ballot Act when it was passed. The Attorney General of the then Liberal Government said it was to secure electors from landlord coercion on the one hand, and from intimidation on the other. I venture to say there is practised in many parts of the United Kingdom very great intimidation under cover of the illiterate clauses. In the constituency which I have the honour to represent there are between 4,000 and 5,000 electors, and yet at the last election there were only four illiterates. In South Paddington there were at the last election only two illiterates. But there are districts in Ireland—in Donegal, for instance—where illiterates abound in large numbers. At the General Election of 1886, out of 6,304 persons who voted in County Donegal 3,214 declared themselves illiterate. Let us compare the state of things in the United Kingdom and in Ireland. In 1886 there voted in England 2,400,000. Of these, 38,000 were illiterate. In Scotland there voted 358,000, of whom only 4,800 were illiterate. In Ireland 194,000 voted, and there were 36,722 illiterate. One voter only in 64 in England was illiterate; 1 in 74 in Scotland; but 1 in 5 in Ireland. I think something should be done to put a stop to the indecent scenes which took place at the recent elections in Ireland. I know that very soon my remarks will be put a stop to——

*Mr. SPEAKER: Order, order!

It being One of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at One o'clock.

HOUSE OF COMMONS,

Wednesday, 15th April, 1891.

NEW WRIT.

For Whitehaven, *v.* the Right Honourable George Augustus Frederick Cavendish Bentinck, deceased.—(*Mr. Akers-Douglas.*)

ORDERS OF THE DAY.

INTOXICATING LIQUORS (IRELAND) BILL.—(No. 34.)

SECOND READING.

Order for Second Reading read.

*(12.25.) Mr. LEA (Londonderry, S.): I do not propose to detain the House many minutes in moving the Second Reading of this Bill. Two years ago the Irish Chief Secretary told a deputation that the time for argument had passed, and the time for action had come. It does seem rather absurd that a Bill of this sort, which year after year has been passed by a large majority, is not become the law of the land. What is the history of the question? In 1878, Sir Stafford Northcote, the then Leader of the House, knowing the feeling in Ireland, gave a Saturday Sitting in order that the Irish Sunday Closing Bill should be passed through Committee. Unfortunately, a timid sort of feeling seemed to prevail, either in this House or in another place, and the Bill was then limited to four years' working. It thus expired in 1882, and for the last eight or nine years it has been included in the Expiring Laws Continuance Bill. I think the unanimous opinion of all parties in the House is that that is not a proper state for a question of this kind to occupy. In 1883 and 1884 Bills to make the Act permanent were brought in by the right hon. Gentleman the Member for the Border Burghs (Sir George Trevelyan), then Chief Secretary for Ireland. In 1877 a question was raised by a member of the trade in Ireland as to the Bill still continuing in the Expiring Laws Continuance Bill, and the Chief Secretary stated that a Committee would be appointed the next year to consider the question. A Committee was appointed, and in 1888 it sat very patiently, heard a large number of witnesses, and then reported the present Bill to the House. I was asked by that Committee to take charge of the Bill, and in each succeeding year I have endeavoured to pass it into law. In 1888 my hon. Friend the Member for South Tyrone (Mr. T. W. Russell) had a Bill providing for the closing of public houses in Ireland earlier on Saturday nights. The Second Reading of that Bill was passed by a large majority, and the Bill was referred to the same Committee, who reported that it should be included in the Bill now under consideration. The evidence in support of that part of the question was quite as strong, and, in the opinion of a good many people, even stronger than the evidence given in favour of the total closing on Sunday in Ireland. I quoted last year the opinion of a considerable number of witnesses who came before the Select Committee, but I do not propose to do so on the present occasion. I will merely state that amongst those witnesses there were 15 official witnesses—Coroners, Police Inspectors, Magistrates, and others—and, without exception, every one of those official witnesses gave evidence strongly in favour of the Bill. I admit that on one point there was a little diversity of opinion. One or two of the Police Magistrates connected with Dublin did not think it would be expedient that the total closing should apply to Dublin. The Committee reported, and it will be found that the overwhelming opinion of the people of Ireland is strongly in favour of this measure. Those Members who represent constituencies in the North of Ireland are confronted with the assertion that the feeling of Sabbatarianism in the North of Ireland is one of the great reasons for the Bill. I deny the statement. I am quite willing to admit that Sabbath observance in the North of Ireland prompted a feeling in favour of the measure, but if any one will read the evidence given by other witnesses from other parts of Ireland they will see how small a bearing this point has on the question. If they will read the evidence of Canon Sheehan, of the City of Cork, they will see that a very strong Catholic feeling is greatly in favour of the Bill. A deputation from all parts of Ireland came to London last year to pray the Chief Secretary not to admit

any Amendment with regard to the five cities. The present Attorney General for Ireland saw the deputation, which was composed of representatives of each of the cities proposed to be omitted. I was very much struck with one of the speeches made to the right hon. and learned Gentleman. There were three parish priests from the City of Waterford, and the chief parish priest told the Attorney General that in his city he was quite sure nineteen-twentieths of the people were greatly in favour of this Bill. The Committee which reported the Bill proposed to amend the law on four points. They said that the Act should be made permanent, that the five cities should be included, and they suggested an Amendment in regard to the *bonâ fide* traveller clause; and, in the fourth place, added to the Bill the measure brought in by the hon. Member for South Tyrone for the earlier closing of public houses on Saturday. One word upon the opposition to the measure. Last year a number of Amendments were placed on the Paper; I am glad to see that that form of opposition has ceased, and that now the only Amendment is that the Bill should be read a second time on this day six months. There have been a large number of public open meetings held in all parts of Ireland in favour of the Bill, and the trade has never dared to have a single open public meeting in opposition to the Bill. That seems to me a clear expression of public opinion in Ireland. As to the proceedings in connection with the Bill last year, a Division was taken after a Debate of two or three hours, and rather more than three-fourths of the Members voted for the Second Reading. The Division List showed that only 13 or 14 out of the 102 Representatives of Ireland went into the Lobby against the Second Reading. That in itself shows how hollow is the opposition. In conclusion, I desire to say that if the House is pleased to read the Bill a second time to-day, I would propose to refer it to the Standing Committee on Law, in the hope that it may be passed into law this Session. I trust the House will at least, by as large a majority as was obtained last year, pass the Second Reading and thus consult the wishes and wants of the Irish people.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Lea.*)

(12.35.) MR. FLYNN (Cork, N.): The hon. Member who has moved the Second Reading of this Bill has, no doubt unconsciously, fallen into an error which he will perhaps allow me to correct before I address myself to the merits of the Bill. He said that two Members of the Committee who reported upon the question represented the trade. As a matter of fact only one of them—the late Mr. M'Donald — represented the trade; the other Irish Member was altogether unconnected with the trade. We complained at the time of the composition of the Committee. We thought then, as we think now, that this legislation is unnecessary and vexatious, and we said that the Committee was composed of gentlemen who were professedly advocates of teetotal and temperance principles, and whose opinions were to be regarded as foregone conclusions. I oppose the Bill on the ground that the people of Ireland have made no demand for it, and that there is no proof whatever that any Irish public opinion is in favour of it. The Mover of the Bill says that the majority of the Irish people support the measure. I traverse that statement at once, and I say that a large proportion of the meetings in favour of the Bill have been got up by professed advocates of the temperance cause, and that they have been promoted—I will not say by agitators—but by gentlemen who have appeared in the capacity of peripatetic advocates of the doctrines of teetotalism. I maintain that such meetings do not reflect public opinion, and that they have been held in halls, and attended by persons who are opposed altogether to the sale of alcoholic liquors. I maintain further, that such meetings form no real test of public opinion. There is only one way of arriving at a test, and that is the election of Parliamentary Representatives. Has this ever yet been made a test question at an election?

MR. T. W. RUSSELL (Tyrone, S.): Yes.

MR. FLYNN: The hon. Gentleman says "Yes." May I ask in how many constituencies? Certainly not in half a dozen; two at the outside; and I regard that fact as a *primâ facie* proof that there is no demand for this legislation; and my contention is that this is pre-eminently a branch of legislation which should be left to the decision of the

Irish Members. We have heard a great deal of late in favour of Local Option. It is a principle on which the popular voice ought to be heard, but that principle is directly opposed to this kind of legislation. It was shown before the Select Committee that not only the Trade Societies, but many Corporations in Ireland, were opposed to the Bill. The Corporations of Cork, Dublin, and Limerick, and the Trade Associations of those towns, petitioned against it. I do not know how the matter stands in Belfast; but the mover of the Bill has certainly not convinced the House that the working men of Belfast are in favour of it. People who can afford to keep a stock of liquor in their own houses ought not to legislate on such a point for the working classes unless the working classes ask for it; and my contention is that no popular demand in Ireland in favour of the measure has been shown. Until that is done, no case for the Bill can be made out. At a trades meeting in Limerick two years ago, it was resolved to protest against the Bill on the ground that if it became law the result would be to encourage the illicit sale of drink, and thus to promote vice and intemperance. That resolution emanated from a body which represented every class for which this legislation is intended. Similar resolutions were passed in Cork, Waterford, and Sligo. So far as the official witnesses are concerned, their testimony cannot be regarded as conclusive. Let me refer to the figures in regard to arrests on the Saturday night and Sunday. I have figures down to 1886, which give the number of arrests in all Ireland; and I find that in Dublin, including Kingstown and Dalkey, with a population of 350,000, there was only an average of 21 arrests on the Sunday. Certainly that does not exhibit a very alarming amount of drunkenness. In Cork, with a population of 104,000, the arrests were 7; in Waterford, with a population of 30,000, 2; in Limerick, with a population of 38,000, 2·3; and in Belfast, with a population of 208,000, 7·3. I have obtained Police Returns from the City of Cork a few weeks ago, and I find that the average number of convictions for drunkenness for Saturday drinking at the present time is one in every 1,000 of the population, which includes habitual drunkards; and one in 20,000 for Sunday drinking. Surely that does not indicate a sufficient amount of drunkenness to justify a drastic measure of this sort or to show that there is any necessity for it. I repudiate altogether the idea that the people of these towns or of any part of Ireland are a drunken people, or that they are more given to drunkenness than the people of any other part of Europe. The figures go to prove quite the reverse; and the statistics of drunkenness are annually decreasing in accordance with the spread of comfort and the general progress of the people. We all hope that the percentage may diminish more and more; but I do not think that legislation of this kind will have a tendency to diminish drunkenness. The arrests for Saturday drinking in Dublin in 1878 amounted to 108; in 1885 they were 86, and last year they had fallen to 60. Let it be borne in mind that that is one of the towns where there is no Saturday or Sunday closing. In Cork the figures show that drunkenness does not prevail to any considerable extent at all; but in Sligo, where the Closing Act prevails, the arrests for Sunday drinking increased from 37 in 1880 to 41 in 1881 and 51 in 1885, showing an increase in 1885 over 1880 of more than 33 per cent. In 1887—the latest Return I have been able to obtain—the figure stood at 70, which shows that in a town where Sunday closing prevails drunkenness has increased, and that there can be no necessity for a Bill of this kind. There are other points connected with the Bill which are objectionable. I may instance the clause which relates to *bonâ fide* travellers, and which proposes to increase the limit from three to six miles. There are a good many honest and respectable working men who will walk three or four miles into the country for the purpose of getting fresh air and recreation, but who are unable to walk six or seven, and by raising the limit in the manner proposed you are simply interfering with the rational recreation of the working man. A man who walks three or four miles into the country is fairly entitled to obtain refreshment, and if, instead of mild soda and milk, or innocent lemonade, or unexciting ginger beer he prefers ale, or a drop of Irish whisky, he is entitled to get it. The hon. Member proposes, if the Bill is read a second time, to refer it to the Standing Committee on Law, and he suggests that if it is desired to amend it, the Amendments can be introduced there. But why is the extraordinary course to be taken of removing the Bill from the cognisance of a Committee of the Whole House? Although I am not over sanguine upon the point, I hope the Bill will not pass a Second Reading to-day, but if it does, and you are really in earnest, you ought to improve the Bill in the House itself, and not in the Standing Committee on Law. That Committee consists of 68 Members, only eight of whom are Irish Representatives, and seven out of the eight are professedly strong advocates of teetotalism. If that is so, you would not be treating the Bill fairly, or give those who desire to amend it any chance whatever. It ought, if it passes a Second Reading, to be referred to a Committee of the Whole House, where the Amendments brought forward would receive reasonable consideration. Take the *bonâ fide* travellers clause. It may be thought an arbitrary act to fix the limit at six miles. Why not substitute five, four, or three and a half? The question is one which ought to be decided by the House itself, and not by a Committee upstairs which may extend the limit to 10 miles instead of six. Personally I am in favour of the reduction of the present hours on Saturday. I think it would be a great advantage to close one hour earlier, but I think that is a matter to be fixed by a Committee in which the Representatives of Ireland would be able to express the feeling of their constitutents. Then, again, it may be possible to arrive at a compromise, and to shorten the hours in the cities which have hitherto been exempted, without imposing total closing. The Attorney General for Ireland is, I believe, in favour of a compromise, and he would be able to put forward the view of the Government more completely in a Committee of the Whole House than in the Standing Committee on Law. I believe that the right hon. and learned Gentleman is in favour of shortening the hours by one hour.

*THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The hon. Member is mistaken. I never made any suggestion of the kind as regards Saturdays.

MR. FLYNN: I should be sorry to misrepresent the right hon. and learned Gentleman, but I believe he is in favour of a compromise of some kind; and I think that a decision would be better arrived at in the House itself than in a Committee, where the majority of Members are distinctly opposed to any reasonable concession. I move the rejection of the Bill chiefly and broadly on the ground that it is not demanded by the public opinion of Ireland; that there has been no expression of public opinion in favour of the Bill, and that in passing a social measure of this kind dealing with the habits and customs of the people, our first care ought to be to consult the tastes and feelings of the Irish people. Upon these grounds I beg to move that the Bill be read a second time on this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question, to add the words "upon this day six months."—(*Mr. Flynn.*)

Question proposed, "That the word 'now' stand part of the Question."

(12.55.) MR. J. NOLAN (Louth, N.): I beg to second the Amendment. The hon. Member for Londonderry seems to assume that because a similar Bill has been read a second time in this House it is unnecessary to discuss it in Committee. But I think no one will venture to dispute the proposition that there have been Bills discussed in this House time after time which have even become Acts of Parliament, but which it has been found necessary to amend, and in some cases even to repeal altogether. The hon. Member spoke of the overwhelming mass of evidence in favour of the Bill, but he carefully abstained from referring to the evidence given by gentlemen in Ireland, of wide and varied experience, against the Bill. I listened to some of the evidence given before the Committee upstairs, and I have read most of the evidence which, together with their Report, the Committee on the Sunday Closing Act for Ireland presented to this House, and I find that a large number of witnesses were of opinion—an opinion which they expressed in very clear terms indeed—that the passing of such a Bill as this would lead to the development of shebeening in Ireland to a very great extent, as well as to the development of bogus clubs, and of course cause a considerable increase in the amount of home drinking, and that, with these changes, would follow the use of poisonous drinks instead of the comparatively wholesome beverages at the present time sold in licensed houses in Ireland. Of course I do not contend that all drink sold in public houses is wholesome, but I think that people who have had practical experience will say that when difficulties and restrictions are increased in the way of the sale of drink openly the quality of liquor that can be procured will be bad, and vile compounds will be sold as teetotal drinks. The hon. Member who moved the Second Reading of the Bill commented on the fact that no Amendments had been placed upon the Paper, but this simply arises from the fact that Members of the House generally did not anticipate this Bill coming on to-day, and doubtless the promoters of the Bill think they have executed a clever piece of Parliamentary strategy. Many Irish Members are absent from the House of Commons just now, and in their absence the hon. Member in charge of the Bill thinks this is a fit and proper time to proceed with the Bill. I may, however, remind him that supporters of the Bill are also absent, even one of those whose names appear on the back of the Bill. I certainly consider this surprise which has been sprung upon Irish Members is no credit to those who planned it, and I think they might have taken into account the fact that very large interests indeed are involved in this proposal. In the City of Dublin alone there are 800 licensed houses which will be affected should this Bill unfortunately become law. Taking these at a valuation of £2,000 each, we by easy calculation arrive at the fact that more than £1,500,000 is invested in these houses, and it is now proposed in the absence of the Dublin Members, and other Members for Ireland—the majority of Irish Members—that this £1,500,000 of capital is to be dealt with in this House without due consideration. Then, if we add the interests in the other towns to be affected by the Bill—Cork, Belfast, Waterford, and Limerick—the total will be a large one. I hope that at a later stage some Representative of the Irish Government will put this part of the case more forcibly before the House than I can possibly do. For my part, I consider that for a matter of this kind, involving the interests and property of so many people, the action of the Government is required for effectually dealing with it, and it should not be left to such free lances as the hon. Members for South Derry and South Tyrone. If public houses are an evil in Ireland, then they are a much greater evil in England, since here they exist in far larger numbers. But there is this distinction: that in England the trade is strong, and consequently the gentlemen who are interested in the promotion of legislation of this kind have felt the expediency of dropping their Bill for England, and, in the absence of Irish Members, they have concentrated their attack upon the trade in Ireland. For many reasons I protest against this. The question of intemperance and the means of checking it is purely a national question; and, so far as Ireland is concerned, it should be dealt with by an Irish Representative Body appointed for that purpose, and popularly elected by the people of Ireland. I contend, with all due respect for English Members, the overwhelming majority of whom are wholly ignorant of the conditions of Irish life, that they are not in a position to pronounce upon and deal with a question like this. I can fancy that some impression will have been made upon the minds of English Members by statements I have heard on a cognate subject from the hon. Member for South Tyrone. He has spoken of the large number of public houses in certain towns in the South of Ireland, and he has made a comparison of populations in those towns. I can imagine an English Member being fairly appalled at the idea of there being so many public houses to so few inhabitants. But the hon. Member for South Tyrone, who is acquainted with some of the conditions of Irish life, did not explain to English and Scotch Members that these public houses, as he termed them, are not public houses in the English sense; they are simply shops where a general trade is carried on, and where occasionally drink is sold, and in some of which, perhaps, a gallon of whisky is not sold in a month. These are not public houses as we understand the term in England or Scotland—nothing of the sort. Drink in many of these places is simply kept as an accommodation for customers when they come in from long distances from the surrounding country—and, for the matter of that, and I think in England as well as in Ireland, traders are in the habit of supplying refreshment free of charge to customers who travel into the town from a long distance, and that without licence of any kind. Now, there are not two opinions as to the proposition that intemperance is a great evil; but when we come to the cure for this evil, then serious differences of opinion arise. Intemperance is not an evil of yesterday; people got drunk before there were any public houses at all; and if public houses were abolished through the length and breadth of the land to-morrow, people would manage to get drunk still. Through many centuries we have had the promoters of three great religious systems grappling with the evil of intemperance. The Hebrew, the Christian, the Mahomedan religions have attempted to deal with it, with more or less success. But the promoters of this Bill, I suppose, claim more wisdom than Moses or Mahomet, not to mention more sacred names, and hope to wipe out drunkenness simply by an Act of the British Parliament. The cause of drunkenness, they say, is the public house—destroy the cause, and the effect will cease. Well, I remember reading of other causes being assigned for drunkenness, and, amongst others, climate has been assigned. We have been told by some great authorities that if the northern nations of Europe have the habit of drinking to excess, it is because they live in a cold climate, and that southward to the sunny South of France, Spain, and Italy people become more temperate. But this theory has become exploded by wider experience, and we find that people in Central Africa were ready fairly to wallow in drink when they got the opportunity of doing so. Not only has the habit of taking drink to excess been attributed to climate, but race and religion have also been assigned as causes. For my own part, I am not inclined to accept as gospel any of the theories propounded on the subject, and least of all am I prepared to admit, with the volume of testimony to the contrary, that intemperance is caused by the number of licensed public houses. In the Report presented by the Committee which sat upstairs, we find that the majority of its Members, as might have been expected from the composition of that body, reported in favour of closing public houses in Ireland on Sunday, and that the minority also presented a Report against that Sunday closing. Between the opinions of the majority and minority it is not, perhaps, easy to arrive at a solution of this very difficult problem, and so we fall back on the evidence given before that Committee. Now, I do not want to inflict upon the House any lengthened quotations from this evidence, but I do think that some of the evidence given is worthy of the attention of the House, particularly in view of the fact that the hon. Member who proposed the Second Reading of this Bill chose to ignore the evidence given before that Committee, which tells against the case he tried to make out. I think it will be generally admitted that Mr. O'Donel, the Chief Police Magistrate of Dublin, should be recognised as a fairly good authority on a question of this kind, not merely from his training and his great experience, but also on account of his undoubted ability. On being questioned on some evidence he had given on a former occasion as to the desirability of absolutely closing public houses on Sunday Mr. O'Donel said—

> "The strong opinion that I then gave against a total closing on Sunday, or to the early closing upon Saturday, was founded on the danger of increasing the number of shebeens, and encouraging illicit drinking, my opinion being that, apart from drunkenness arising from the facility of getting drink at those shebeens, there was a greater social demoralisation in frequenting them than in getting drunk at a public house. I stated my reasons for that to the Committee at the time, and my view remains the same as regards that."

I wish to call the attention of the House particularly to this expression of opinion—

> "I think the total closing of public houses on Sunday would inevitably result in an enormous increase in the number of the shebeen houses, and therefore would bring about a far more demoralising result and injury than leaving matters as they now are."

I hope that the hon. Member who may follow me will note this expression of opinion by Mr. O'Donel, and tell us what he thinks about it. Then Mr. O'Donel went on to refer to the number of shebeen cases brought before him. In the year 1876-77, before the introduction of the Act, which was to have brought about a reformation in the habits of the people who were accustomed to take drink, the total number of shebeen offences for the year was 155. In the year 1886-87, 10 years after the Act had come into operation, the number rose to 206. And then he goes on to say—

> "It is a very curious thing which has appeared in evidence with regard to illicit drinking before 2 o'clock; that, directly 2 o'clock arrived, immediately the whole trade of shebeening ceased, and, of course, the after consumption in the city was in the public house."

Now, I think there is no advocate of temperance, however strong his views, however ardent a teetotaler he may be, but will grant that if people will take drink at all, it is better that they should drink in a public house than in low shebeens, many of which are dens of drunkenness, gambling, and immorality. And now I turn to the evidence of Mr. Cameron, the Town Inspector of Belfast. He, speaking of a deputation of gentlemen engaged in the public house trade who waited upon him to express their views, says—

> "I may say that they were a most respectable body of men, and they told me that they would have no objection to curtailing the hours of Sunday or Saturday drinking a little; but that what they did object to was, by shutting up the houses on Sunday, throwing the drinking trade into the hands of shebeens, who would give bad liquor to the people, and demoralise them far more than the respectable trade; and, no doubt, that would be the case, unless you could, by some means, counteract the evil that would come."

Of course, it is open to hon. Gentlemen who are in favour of this Bill to point to the means by which the evil of the shebeens may be met; but, up to the present, none of them have been able to say there is any plan save the adoption of further coercive regulations, and several of the gentlemen who have suggested these further coercive regulations candidly confess that they are not at all sanguine that they would produce the desired effect. Well, the hon. Member who moved the Second Reading spoke of the opinion of the Catholic Bishops and clergy, and we find that Mr. Cameron, the Town Inspector of Belfast, has something to say upon this point. He is asked—

> "Did the publicans give that as their opinion?—Yes; and it is an opinion that agrees with that of every sound person.
>
> "Do you know that it is the opinion of the Roman Catholic Bishop also?—I do."

So the Town Inspector, the traders, and the Bishop in Belfast unite in the opinion that the proposed restriction in the hours of opening public houses in that city would lead to the extension of shebeen drinking. Then we have the District Inspector of the Royal Irish Constabulary in Waterford, Mr. Bull, giving this evidence—

> "If you close the public houses altogether on Sundays, I would expect that you would have considerably more shebeens than you would if you opened them from 2 to 5, because the publican would lose all interest in his trade, and, consequently, we should get no information whatever from the publican; at present if there is a shebeen started, the publicans give us information about it."

Evidence in the same direction is given by Mr. Jennings, District Inspector R.I.C. at Limerick. He confirms and endorses a resolution which was passed by the traders of Limerick, and to which my hon. Friend has referred—

> "That this meeting of the congregated trades of Limerick emphatically protest against the present Bill before Parliament for the total closing of public houses on Sunday, or any curtailment of the existing hours on Saturdays and Sundays. We are strongly of opinion that, if such Bill becomes law, its results would be to encourage illicit trade, and lead to the system of introducing drink into the houses of the people, and spread very extensively the contaminating vice of intemperance."

Then I go to another part of Ireland and cite the evidence of the Mayor of Sligo. He says—

> "There is as much drink sold in Sligo at present on Sundays as there would be sold if all the public houses in the town were open. More drink is given to frequenters of low public houses and shebeens than would be given to them in respectable houses; besides, the drink supplied in these places is extremely bad."

Then he goes on to give the result of some very interesting observations of his own which he had been able to make during the course of the exercise of his profession as a journalist—

> "The arguments urged against the sale of drink on Sundays might be urged with equal justice against the sale of drink on any other day. By leaving the public houses open for a few hours on Sunday you do not curtail any man's liberty; you do not interfere with anyone's right, as you do not compel Sunday closers to enter the public houses. The early closing on Saturday night and the Sunday closing would increase the consumption of whisky in Sligo, and diminish the consumption of ale and porter."

It is obvious that it is easier to carry on an illicit trade in whisky than in the more bulky drinks of ale and porter. The witness goes on—

> "Whisky is much more injurious to the health and more expensive than ale or porter. Sunday closing, in my opinion, increases the quantity of spirits illicitly distilled in the country around Sligo."

He proceeds to prove his case, and says—

> "Large quantities of illicit spirits are distilled from molasses; there are houses in Sligo in which tons of this commodity are sold in each year for the purposes of illicit distillation. Spirit thus made is most injurious to health, and the production and sale of it in the country districts is most demoralising. Any law tending to make the lawful purchase of drink more restricted must increase the quantity of spirits illicitly distilled. The statistics given by Mr. Hickson show that the convictions for drunkenness on Sunday in Sligo have increased almost 100 per cent. during the last few years. Mr. Hickson attributes the increase in the cases of drunkenness to the increase in the number of police and of the public houses. In my opinion, the increase is due to the Sunday Closing Act."

That Act it is now proposed to extend to the large cities, in which, as everyone must admit, it will be more difficult to put its drastic provisions into operation. It is comparatively easy to do without public houses in a small town like Sligo, but it is a very different matter in Dublin and Belfast.

> "The fact that the sale of drink is prohibited creates an incentive to procure it, as many men take a pleasure in breaking a law which they consider to be an unjust infringement of their personal liberty. Besides, persons who would be turned out of a respectably-conducted house have their intemperate habits pandered to by shebeeners and illicit traffickers. The majority of the people of Sligo are not in any way affected by Sunday closing. Those of them who favour Sunday closing do so on the ground that the less drink consumed the better. This Sunday closing law is hateful, inasmuch as it is founded on a calumny that the Irish are a drunken people. Mr. Alderman Kidd, a Justice of the Peace for the borough, and not interested in any way in the drink traffic, told me that he was in favour of Sunday opening. In reference to small country public houses near chapels, which were referred to by Mr. Hickson in his evidence, a prohibition by the parish priest, if deemed necessary, would be far more effective than an Act of Parliament."

Then the question put was this—

> "Then your evidence, which has been given very fully, is this: that practically for that class of persons you think there is no real Sunday closing, but they are driven to deal in illicit houses?"

Mr. J. Nolan

And the answer was—

> "Yes, and that they are demoralised by having to go to places where disorderly conduct is carried on, and where they are allowed to get drunk, and where bad drink of all kinds is given to them."

It is the experience of every man who is in the habit of travelling in Ireland, that there is not the slightest difficulty experienced in obtaining intoxicating liquors at any hour of the day, or any day in the week, in any place where this Sunday closing is supposed to be in full operation. Mr. Egan, the Mayor of Kilkenny, also gave some interesting experiences of his own. He said—

> "I will take last Sunday. I was out in the grounds of a park having tea, and a man came down singing a song; he was drunk in my presence; one of the clergy, who was living opposite, came out to inquire where could he have got the drink. That occurred last Sunday. But I have frequently, myself, seen the same men coming out of houses drunk at 11 on Sunday; and at 2 o'clock I have frequently seen men drunk on Sunday in the street."

And this was in a town where the provisions of the Act were in full operation. But we are not confined as regards evidence on this matter to Mayors of Irish towns or cities or to Police Inspectors. We have the popular and able President of the Dublin United Trades' Council and Labour League, Mr. Mannetti, giving this evidence—

> "I believe if you shorten the hours, or interfere with them in any way, the men will go to those beerhouses, which, in fact, are merely brothels, which will be open on Sunday, and they can get drink there, which will lead to immorality as well as drunkenness, and to other great evils of all kinds."

These men, it must be remembered, are not drawing fancy pictures, but give their opinions as based on practical experience, and they give the reasons for the judgment they have arrived at on this important question. Then we have the opinion of the Rev. P. T. Tynan, D.D., of Dublin. He says—

> "I was always myself in favour of earlier closing on Saturday, but after seeing the evidence given by Mr. Harrell with regard to the shebeens, for he said there were 188 shebeens in the centre of Dublin, and that their principal time for working was Saturday evening and Sunday night, I must confess that I regard it now as rather a doubtful matter."

Some gentlemen who are in favour of this Bill are such robust advocates of it that nothing could possibly change them; but here is the evidence of this gentleman—a gentleman of great ex perience and living in Dublin—which shows that he had preconceived notions in favour of Sunday and Saturday night closing, but was obliged to renounce them. He went on to say—

> "If the police are unable to interfere with the shebeens, and prevent it, the result of closing the public houses at 10 o'clock or at 9 o'clock on the Saturday night would be to throw open the shebeens to people who would otherwise drink in the public houses. It is quite clear from Mr. Harrell's evidence that the police are not able to cope with the shebeens."

Later on he says—

> "Wherever there is a demand for drink, there will be a shebeen to supply the drink, if the legitimate house is closed, unless, of course, the police have full power to prevent shebeening, but they cannot prevent shebeening; shebeening will go on whenever the legitimate houses are closed."

With reference to the City of Belfast, the Very Rev. Patrick Convery says—

> "I have had recourse to all means and ways to stamp out the sale of drink at prohibited hours, not merely in licensed public houses, but in shebeens. I have called personally upon those individuals, and brought the charges right home to their own teeth. I have stated to them the day and the hour when I witnessed such scenes, and I have told them that I have lodged my complaint with the Inspector of police, and with the head constable of the district, and have given the names and urged them to oppose them at the next Recorder's Licensing Sessions, and to have the same recorded upon their licences. I have even gone further; I have even incurred the odium of the people, but I was bound to do so in connection with the morals of the district. I told them that my observations should go beyond individuals, that I looked to the general good of the community at large, and I have stated to them that I would go in person to the next Licensing Sessions before the Recorder and oppose the renewal of the licence to those individuals."

He speaks there of the occupiers of houses of a low class, who were in the habit of violating the conditions of their licences. Then he goes on to say—

> "There was a partial cessation for the time of the drinking at prohibited hours, but as soon as they thought that there was an opening again they took to selling it again."

Further on he says—

> "No amount of legislation through the hands of the police or through Parliament will ever check the onward progress of drink."

He is asked—

> "Have you seen the statement concerning Glasgow and concerning Cardiff?"

and he replies—

> "I have seen it. It is in a letter of my Bishop, who during his course of being a parish priest in Ballycastle, in the erection of a new church, was engaged in all the large towns, in fact in the three Kingdoms, collecting money. He gives the details, in that letter which he wrote to the licensed vintners in Dublin, of his experience of the Sunday Closing Act in Glasgow. He said, so far as I can recollect (and I recollect reading it in a newspaper), that the streets might be quiet, and that order and regularity might be said to prevail; and that the police, so far as their duties outside the public thoroughfares were concerned, seemed to have very little to do; but if he went into the lanes and closes, and into the homes of the poor, drunkenness seemed to prevail to an alarming extent everywhere he went. He said that if the Legislature thought it wise to frame their laws for the purpose of making people sober by Sunday closing, it was altogether misleading. I have heard of a statement made by some of the clergymen connected with Cardiff, and certainly from the statements that I have read in the public prints, I would be very sorry, either by word or by any means in my power, to bring about Sunday closing in the town of Belfast."

My own experience of Glasgow and Cardiff is very limited, but I have visited those places and have conversed with respectable residents, and have been assured that the closing of public houses on Sundays has not put a stop to drunkenness on those days. I remember one Monday morning standing talking to a Catholic clergyman in the street at Cardiff. I saw a brewer's dray go past with a large number of empty beer barrels piled on it. The priest pointed this out to me, and asked me if I knew what it meant. Of course I did not, being a stranger, and then he informed me that the beer in the barrels had been consumed on Saturday night and Sunday in the workmen's houses. The gentleman who drew my attention to this has challenged public contradiction. I believe no one will attempt to dispute the fact that in the workmen's quarters in Cardiff the men are in the habit of clubbing together on Friday and buying a small cask of beer which they bring to the house of one of the members of the drinking club, and not only do the men drink the beer as long as they are able to sit or stand, but even the women and children take a hand at the beer drinking. Then Mr. Charles Dawson, one of the most prominent citizens in Dublin, who was well known in this House at one time, gave evidence as follows:—

> "The probable result of the Act, in my opinion, would be this: While the conditions that I stated still exist, and while the incentives, and not only the incentives, but the

> provocatives, to drink exist, as they do now, remain unchanged and unaltered, I am sorry to say, if that remains as it does now, the withdrawal of public opportunities will make the people resort to others more secret and more dangerous. I have that opinion. I am not an advocate for always keeping up this thing, but until you provide a substitute for the public house, and a substitute in decent homes, I am afraid if you close early that they will drink at home, and they will drink in places less under the light of observation."

He went on to quote the following very interesting figures:—

> "In 1851, before they had the Sunday closing in Glasgow, the arrests for drunkenness were 4·5 per cent. of the population. The Act was passed in 1853, and the figures as to the arrests for drunkenness in 1861, when the Sunday Closing Bill was in operation, was 9·4 per cent. of the population; in 1871, it reached 10·4 per cent.; and in 1887, which was the last year, it was 6·5 per cent."

Mr. Commissioner Harrell says—

> "The opinion that I have on the question of home drinking is that I should not like to see that developed at all. I think that the habit of self-control amongst the poorer classes does not at present exist to such an extent, as to encourage the adoption of any social change which might lead them to bring drink into their own houses."

He is asked—

> "In your opinion, would closing on Sunday have that effect?"

and he says—

> "I think it would. I think the laying in of a provision on Saturday night would be very dangerous. If you could rely on their self-control, you would get rid of many difficulties which now exist in connection with many other things as well as the traffic in drink; but I would be very much afraid that laying in a supply of drink on Saturday night would lead, in all probability, to that drink being consumed on the Saturday night; it would never see the Sunday, or only the early Sunday morning."

Mr. Mannetti, himself a working man, is asked—

> "What is the view of the working classes with regard to home drinking?"

and he replies—

> "I believe if you introduced the question of home drinking that men will bring home drink overnight, and when the drink is there it is rather a temptation to them, and the men will take to drinking it. It has come under my own observation that bottles are lying on the table when men are found drinking at home, and you will find a child coming and taking a bottle and putting it to its head very often; I have seen that, and I would not wish to see that practice come into our homes."

I am sure hon. Gentlemen who are

Mr. J. Nolan

promoting this Bill agree with Mr Mannetti that it would not be desirable to introduce this kind of drinking into the homes of the people of Ireland; and I ask those who are honestly desirous of checking the evils of intemperance to pause, and to take into account and give full consideration to the opinions and experiences of these gentlemen, who are entirely independent and unbiased witnesses. Mr. Mannetti is asked—

> "And it is club drinking and home drinking which, in your opinion, would lead to family dissension and discomfort?"

He says, in reply—

> "I believe it would. If you introduced home drinking, it would be an invitation to the wives and the children of our families to join in it; and from being sober wives, as we wish them to be, they would possibly become drunkards, and we object to that."

There are a large number of people in this country who drink, and drink to excess, who have never in all their lives been inside a public house. One of the most eloquent advocates of temperance that I have ever listened to, and one of the most influential, stated on a public platform, and in my hearing, that he was sorry to have to say that there were many people in this country who never enter a public house at all—men of high birth, of high social standing and great wealth—who would be ashamed to be seen entering a public house at all, but yet who blast their prospects in this world and in the next by the excessive use of alcohol. If that is the case in the higher circles, where people are surrounded by everything wealth can purchase, what is to be expected in the case of those people who have an unfortunate craving for drink without possessing any of those great advantages? Another gentleman (Mr. Crean) was asked his opinion of home drinking, and he said—

> "I think my opinion is this: That I would very much regret that it should creep into any section of the community, because it would just be ruinous to the families; the children of necessity would see the bad example of their fathers, and the mothers would sometimes probably indulge in liquor too, and the result would be that it would be an all-round debauch, as I have seen it. I have seen children of tender years drinking."

He was then asked—

> "You have seen children drink, and you think that is caused by home drinking?"

His reply was—

> "Yes; by home drinking, certainly; and wives and husbands have not been able to refrain from drinking until they have fallen asleep over their booze."

The Rev. D. Tynan also gave some interesting evidence on the subject of home drinking. He said—

> "I consider it a worse phase of drunkenness than the drunkenness resulting from drinking in public houses, because the home drinking which leads to that drunkenness demoralises the wives and the families of the people who drink at home; whereas if a man goes to get a drink in a public house he may get drunk, but his family is not demoralised by the drunkenness."

Asked whether the drunkenness in Dublin existed among men and women, Dr. Tynan said—

> "Yes; but, at the same time, the drunkenness amongst women does not come under the observation of the police so much as it comes under the observation of the clergy. With regard to that, I might mention that in the cases which come before me of the drunkenness of women, in nine-tenths at least of those cases the drunkenness results from home drinking, and not from drinking in public houses."

I would ask those gentlemen who are promoting this Bill to bear in mind that some of us who are opposed to the passage of the measure are quite as great friends of temperance as they are. I, myself, approached the subject with an open mind; and if I believed that the closing of public houses would put an end to drunkenness, and would very sensibly check intemperance in Ireland, I should be one of the first to vote for it. In fact, I should adopt even more drastic measures if it were possible to carry them into operation and put a stop to the manufacture of intoxicating drinks altogether. Of course, however, it would be idle to propose such a thing as that, and I dare say even the most sanguine advocates of temperance recognise that. If I am opposed to this Bill, it is because, in the first place, it strikes against the interests of a number of respectable men who have invested their capital and their time in the public house business. I believe it will not advance the cause of temperance; but after destroying the property of thousands of respectable men throughout the length and breadth of Ireland, it will turn the drinking habits of the people into a direction which will be more injurious to them than if they are allowed to take drink in properly licensed and respectable houses. The respectable men who are engaged in the trade in different parts of Ireland are not by any means in favour of intemperance. On the contrary, I suppose that the respectable publican, both in Ireland and England, looks upon a drunkard on his premises as an unmitigated nuisance, and would be glad if he stopped away altogether. In fact, some of them take extra precautions to exclude drunkards from their premises, and to prevent them indulging in the use of alcohol on their premises. Those gentlemen whom, without meaning any offence to them, I call teetotallers, have not a monopoly of the desire to see intemperance checked. I believe, however, they are on the wrong tack altogether when they seek to check drunkenness by closing respectable public-houses and driving those who wish to get drink into places where they can get a bad quality of liquor at any hour of the night or day. This Bill is one of a very drastic character. It proposes to close the public houses in the four leading cities of Ireland during the whole of Sunday. I think the hon. Member for South Tyrone will himself admit that if you close the house of a respectable licensed trader entirely you ought to compensate him. What, then, have you to say of closing without compensation a public-house for one day in the week, and that, in some cases perhaps, the day on which the largest trade is done? One of the provisions of the Bill is that the distance for a *bonâ fide* traveller shall be extended from three to six miles. Do gentlemen take into account that that will inflict a very considerable amount of injury on a number of deserving men? I can give it as my own experience that in some of the watering places in Ireland, where Sunday closing is enforced, people, owing to the closing of public houses, now keep considerable quantities of drink in their apartments for the entertainment of visitors. Besides, in Ireland, in many of the places where drink is sold other articles are also sold, and either one branch of the business would have to be given up in order that miscellaneous goods might be sold, or the public would be deprived of their opportunity of making the usual purchases. Certain hon. Members would prefer, doubtless, that these men should give up their trade; perhaps they think that would be a great advantage. I, on the contrary, think that it would be an advantage that if people will take drink, the trade ought to be in the hands of respectable men. It is for this reason, amongst others, that I shall, to the best of my ability, oppose the Bill. (2.3.)

*(2.20.) SIR GEORGE TREVELYAN (Glasgow, Bridgeton): The hon. Member for North Cork complained of the composition of the Committee which passed the Report on which this Bill is founded. The hon. Member may complain of the composition of the Committee, but he has no reason whatever to complain of the composition of the House of Commons. And he will not be able in the future to find a House more favourable to his view than the present House of Commons. Taking the whole House, three Members to one, and taking the Irish Members, two Members to one, have already declared themselves in favour of this Bill. The hon. Member for North Cork tells us that we have no right to legislate in this matter for Ireland, but that we ought to leave the whole question to be discussed by her own Parliament. But I do not think you are doing any injury to Ireland, even if she obtained a Home Rule Parliament, to establish a system of Sunday closing of which that Parliament would be able to judge by experience. Of what the result of that experience will be, we, at any rate, have no doubt whatever. No, Sir, the true province of Local Option is to decide whether there shall be a liquor traffic or not. If there is a liquor traffic, its regulation is not a matter for the collective plébiscitary vote of the ratepayers, but for the custodians of public order, and its highest custodian of all—Parliament. The hon. Member for North Cork adduced statistics to show that the system of Sunday closing had not succeeded in Ireland. I will say that his statistics were rather old, and I now propose to give the House some statistics of a more recent date, which absolutely and entirely prove the contrary. I will quote from the most recent Returns to the House of Commons that I can find, namely, those presented in 1889; and what do I there see? Why, that the population of the exempted cities in which there is no Sunday closing is 700,000, the entire population of the country at large being 4,200,000, according to the Census figures, and that the number of arrests in the exempted cities was 2,350, while in the country at large they number less than 3,400. That is to say, that while the population of the exempted cities was as one to six of the whole, the number of arrests on the other hand was as four to six, or in other words, that the operation of the existing law has improved the sobriety of the people affected in the proportion of four to one, which, I say, is quite sufficient to make it worth while for us to pass this Bill. The law works well in Ireland—that is to say, it works well in that part of Ireland where it is in force. Let us see whether it works well in our great cities elsewhere. I will take an example from Scotland. In the City of Aberdeen there were in one year 403 arrests between Saturday morning and Sunday morning, or during the period people who had been drinking in the public houses were out in the streets; but during the next 24 hours there were only 32 arrests; that is to say the Sunday was more sober than the weekday in the proportion of 12 to one. In Edinburgh there were 975 Saturday arrests against 68 Sunday arrests during the year; but the hon. Member for North Louth, quoting figures, the origin of which I am unable to explain, takes the case of the city, a part of which I have the honour to represent, namely, the City of Glasgow, and tells us there were, in the course of a year, arrests for drunkenness in the proportion of 6 per cent. of the population. Sir, the population of Glasgow, according to the Government Return I have before me, including Govan, Partick, and the other suburbs, is 750,000, among whom the arrests for drunkenness during the year, were under 15,000 which is about 2 per cent. of the population, and of these, 5,900 were made on Saturday, while only 427 took place on Sunday. But it may be said, "That is all very well for a great Scotch town; how would it be in the case of a great Irish town?" Now, the Secretary to the Lord Advocate was questioned on this subject by a Select Committee on the Intoxicating Liquors (Ireland) Bill in 1877. He was asked—

> "When you were asked as to the facility of applying the Forbes-Mackenzie Act in Scotland, you said the Scotch were a law-abiding people. Are you aware"—

and here I may say that perhaps the question was rather rudely put—

> "that in Glasgow there is a large Irish population?—I am quite aware of that. Do you know what is the number of the Irish population in Glasgow?—I should suppose 100,000, very likely."

Then there arose a discussion, with which I will not trouble the House, as to whether the Irish are equally law-abiding with the Scotch, after which the questioning went on—

> "Have those 100,000 Irish given much difficulty in the way of administering the Forbes-Mackenzie Act?—I cannot say; but I never heard that they have. I never heard the suggestion that they increased the difficulty, and in one part, where there is a large population of 30,000 Irish, chiefly workpeople, there is no difficulty."

Well, Sir, I say that if in the large cities of Scotland this is the case, it would also be the case in the large cities of Ireland, and there will be no more difficulty, and no less popularity attached to this Bill when it becomes law in the large districts of Ireland than is at present the case in the large districts of Scotland. The hon. Member also brings before us the case of the shebeen, and complains there will be more illicit drinking if the Bill is passed. We do not care very much whether it leads to illicit drinking or not so long as it leads to less drinking. But the statistics show Sunday closing does not lead to increased shebeening. When I was Secretary for Ireland I made a most minute examination of an enormous mass of evidence, for the purpose of satisfying myself on that matter. The evidence was confidential, and I could not give it to the House. I think, however, I shall be justified in stating the general result. I asked the Resident Magistrates whether Sunday closing had led to an increase of shebeening—a question on which, whatever their political opinions, they are well qualified to judge—and by a majority of more than ten to one they said it had not. I also asked whether it led to illicit distillation, and 71 Magistrates out of 74 said it had not. The experience of Ireland, as shown by figures, absolutely bears that out. It has been said there was a rise in the number of shebeens when the Sunday Closing Act came into force in 1878. In the whole 12 months following, the arrests for Sunday drunkenness were 2,000, as compared with 4,000 in the previous year. And, as regards shebeening, in 1878 there were 178 evictions for shebeening, or an increase of 20, but two years afterwards they had fallen to 150, and they have gone on falling ever since. There is absolutely overwhelming proof that Sunday closing in Ireland has not led to an increase of shebeening. In the last two years in the exempted cities the convictions for illicit drinking were equal on Sunday to the rest of the week; but in the cities, where there was Sunday closing, the number of convictions for drinking in shebeens was considerably less on Sundays than on any of the other days in the week. The experience of Scotland shows that if legal drinking on Sundays were put down illicit drinking could be traced to its illegal source, but that if Sunday drinking is legalised it helps to conceal illicit drinking. I think I have answered by unanswerable figures all the points which have been rested on statistics. As to the first change made by the Bill, I think it would be a very great thing for the working population that the public houses should be closed at 9 o'clock on Saturdays. It would not only stop drunkenness, but it would enable the wife to get her husband home at an earlier hour, and with a very much larger proportion of his wages in his pocket. The other change insures that *bonâ fide* travellers shall have *bona fides*, and not go from one part of a town to what is practically another part of the same town. He will have to travel six miles instead of three to get a drink. There was overwhelming evidence laid before the Committee on Welsh Sunday closing to show that the three mile limit only meant that a man should walk from one end of the town in which he lived to the other end in order to get a drink. There is a public house in the neighbourhood of Phœnix Park on which on one Sunday 600 persons entered, in order to obtain drink, and yet not one of them was, in any sense probably a *bonâ fide* traveller. The meaning of the clause is that a man living in an hotel shall have practically the same facilities for getting drink as he would if he were at home, but that he shall have no greater facilities. I do not agree that this is making one law for the rich and another for the poor, for it has been found that in places where the liquor traffic has no existence—and there are several such places in Ireland—the working man is soon able to purchase a couple of barrels of beer to drink at home if he desires to do so. It is a question of home; it is a question of encouraging men to spend their money upon those who depend upon them for the necessities of life, and for its comfort and happiness. The only question remaining is whether we shall consider the details of the Bill in Committee of the Whole House or upstairs. The fears that Irish Members will not have their fair share in the discussion are absolutely illusory; it will be within the competence of the Committee of Selection to nominate any number of Irish Members on the Committee, and I have no doubt that any Irish Member who shows he has a real interest in the question, on one side or the other, will find no difficulty in getting appointed; but in any case there is the Report stage, when the House can correct any mistake the Committee may make. The real reason for sending the Bill to a Committee upstairs is that we want to pass it. It has not been passed before, because of want of time, and now the best chance of enabling it to become law is to refer it to a Committee. A question will then be set at rest, I believe for ever, on which public opinion in Ireland is very nearly unanimous.

(2.42.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I do not propose to follow the preceding speakers in an abstract discussion of the drink question, or the propriety or impropriety of interference by Parliament with the liquor traffic, nor do I propose to discuss the bearing and effect of the statistics which have been put forward. The right hon. Gentleman has reminded the House that the original Sunday Closing (Ireland) Act was passed by the aid of the Conservative Government in 1878. In that year Sir S. Northcote, who was then leader of the House, gave facilities for the passing of the Bill, without which it could not have become law, and by so doing he enabled a most valuable and important experiment to be tried in Ireland. It was passed avowedly as an experiment, and was to continue in force for four years, at the end of which time it was for Parliament to determine whether it should continue. In the result, almost everybody in the House felt it was quite impossible to drop the Bill, and it has been put in the Expiring Laws Continuance Act every year from that time to this. Thus three successive Governments have declared their distinct opinion, with the assent of the majority of the House, that Sunday closing is an experiment which has been tried in Ireland and has succeeded, and should be renewed. Every one must feel that to continue renewing an Act of this kind annually is an unsatisfactory way of legislating. The matter was brought under the notice of the Government by various hon. Gentlemen in 1887, and a Committee was appointed of which my hon. and learned Friend the Attorney General for Ireland was Chairman. Exhaustive evidence was taken on the whole subject, and, in spite of what has fallen from the hon. Members who have moved and seconded the rejection of the Bill, it is not unfair to say that the whole weight of the evidence, with comparatively insignificant exceptions, was in favour of the continuance of Sunday closing in Ireland, and of the adoption of Saturday closing after 9 o'clock. The people who gave that evidence were not drawn from one class of the community, but they represented every class and every section of opinion. The witnesses included Magistrates, police, priests and ministers of all denominations, and all were unanimous, and their unanimity was unshaken on cross-examination, that Sunday closing had succeeded in Ireland and ought to be continued. That being the state of the case, the House has to decide not whether there shall be Sunday closing or not in Ireland—I regard that as a question quite amply decided —but whether Sunday closing shall be enforced in the unsatisfactory way it now is by means of an Act that has to be continued annually, or whether the legislation shall be put on a permanent basis, with such modifications as may be suggested by the Committee to which the Bill may be referred when it has been read a second time. These being the alternatives before the House, I can not doubt that they will decide in favour of the more permanent form of legislative enactment. I trust, therefore, that the House will without any undue delay pass the Second Reading of the Bill. Then will follow a Motion, which I shall support, to refer the Bill to the Grand Committee on Law. The Motion for the Second Reading is not directly a Government Motion; but when it is recollected that the measure was originally passed by the aid of the Government, and that it must be continued annually by the aid of successive Governments, it cannot but be concluded that this Bill ought not to be considered in the ordinary category of Private Members' Bills, but it partakes, in a modified sense, of the character of a Government measure. If the Bill leaves the Grand Committee in a form in which the Government can accept it, I shall hope we may be able to aid its further passage through the House. With regard to the special provisions of the Bill, the form in which the Government will desire to see it pass is the form it would have taken if the Committee had adopted the original Report of the Chairman of the Committee, which recommended an amended Bill for Sunday closing and a Bill for Saturday closing. As a Bill for both objects I hope it will finally receive the assent of the Legislature.

(2.50.) SIR W. HARCOURT (Derby): I am sure the House will have heard with great satisfaction the statement of the right hon. Member, that the Government accept the responsibility for carrying this measure into law, a statement at which many in the House and thousands out of it will rejoice. This question has made and is making from day to day the greatest and most satisfactory progress. We began many years ago with Scotland, proceeded next to Ireland, and finally adopted similar legislation for Wales. I do not know that there has been any attempt in Scotland to overthrow the system of Sunday closing. In Wales we know that last year, or the year before, an attack was made on the principle of Sunday closing, but after careful examination of the facts, it totally failed, and the principle of Sunday closing in Wales has been approved of. We now hear from the right hon. Gentleman that the attacks on Sunday closing in Ireland are not sustained by the facts, and that opinion and evidence in favour of Sunday closing in Ireland are almost universal. The English people will naturally ask why, if Sunday closing is found to be beneficial in Scotland and advantageous in Ireland and in Wales, it should not be adopted in England. What is the difference between the populations of these different sections of the United Kingdom that each should be subject to a different kind of legislation? Although the point may not be quite germane to the Bill, still it is one that must occur to all who think upon the subject. There is, however, great satisfaction in the position in which the question stands in Scotland, Ireland, and Wales.

MR. A. J. BALFOUR: The right hon. Gentleman has a little stretched the statement I made with regard to the action of the Government; and I wish to put the matter on a basis which cannot lead to misunderstanding. I have not made the Government responsible for every stage of the Bill; that would be a pledge of too wide a character; but I do say we do not regard it as simply a Private Members' Bill, and that we hope to be able to facilitate its progress.

(2.55.) DR. TANNER (Cork Co., Mid): Although I am consistently opposed to excessive drinking, I feel bound to oppose legislation on which the sense of the constituencies has not been taken, and which I believe is objected to by a majority of the people of Ireland, and I must say I shall do all I can to circumvent the attempts of hon. Members to smuggle this measure through the House. I have heard of no expression of opinion from Ireland in favour of the Bill; on the contrary, I know that in every Irish constituency the majority of the people are dead against it. I cannot support legislation which does not apply equally to the rich and the poor. I am against coercion in every form, and this Bill is but one form of coercion. The object of it is defeated by the drinking clubs it brings into existence. I do not think we can do much good by coercive legislation. As a medical man I have had plenty of opportunity of seeing that the effect of the operation of the Sunday Closing Act was not by any means to stop Sunday drinking. In the City of Cork bogus clubs were established and a new bottle for the conveyance of drink was made. You never can accomplish very much by coercive legislation. On the Continent—in Berlin for instance—you find that public houses are kept open from year's end to year's end, and yet there is no excessive drinking. Restriction after restriction is proposed. First of all, you started with Sunday closing, then you proposed Saturday closing, and we all know that the hon. Member for Cockermouth (Sir W. Lawson), has declared he will not be satisfied until public houses are closed altogether. You are going from step to step, and I ask you to pause and inquire whether you are on the right track. I believe that instead of doing good you are really doing harm by these restrictions. This Bill ought not to be passed without a clear expression of opinion in Ireland in its favour. Up to the present there has not been such an expression of opinion. I have ample means of knowing what the wishes of the people in Cork, my native city, are, and I emphatically assert that the moderate portion of the inhabitants of Cork are opposed to this measure. As I am anxious, as an elected Representative, to discharge my duty conscientiously, I feel obliged to vote against the Second Reading.

(3.8.) MR. CRILLY (Mayo, N.): I recognise that the right Gentleman the the Member for the Bridgeton Division of Glasgow is anxious to improve the condition of the Irish people, and I realise also that it is through the methods he proposes that the condition of our people is to be elevated. But I must dissent strongly from one phrase he used in the speech he has just delivered. I repudiate the idea that we who are against the passing of this Bill advocate and believe in the gospel of drink: that was the right hon. Gentleman's phrase. I and those who think with me in this matter are quite as anxious for the improvement and elevation of our people, for the cultivation of habits of thrift amongst our people, as the right hon. Gentleman is. If I thought that the passing of this Bill would improve to any great extent the condition of those unfortunate people in Ireland who give way to drinking habits, I certainly would be found to-day on the side of the right hon. Gentleman, but it is because I believe otherwise that I oppose the Second Reading of this Bill. I oppose this Bill, in the first place, because I believe there is no great or overwhelming demand for it on the part of the Irish people, and I oppose it because, as far as I can gather, the operation of the Sunday Closing Act of 1878 has not been the conspicuous success the supporters of the Bill try to make out. I deny that any Member or any section of the Irish

Members have received any commission or mandate from their constituents to support the Bill. I believe that the Bill deals with social questions which would be much better and more adequately dealt with by some authority in Ireland. I cannot say that my constituents have at any time expressed any strong opinion in regard to this matter, and I search the names given in the Lists of Divisions in the House of Commons in vain to find that amongst the Representatives of Ireland there is any overwhelming conviction that the Bill should be passed in its entirety. Last year, of the 33 hon. Gentlemen representing Irish constituencies, and who sit opposite, only 10 voted in the Division; and of the 86 Members who sit around me, only 38 took part in the Division. It is therefore absurd for any hon. Gentleman to put forward the plea that this Bill has behind it the strong and passionate endorsement of the Irish Members. This is not a burning question; and I certainly think that in view of the frequent promises of the Government that they are going to bestow some Local Government upon Ireland, this question ought to be left to the disposal and decision of the Irish people themselves. The Chief Secretary, in the few remarks he thought it worth while to address to the House, declared that the original Act was an experiment; and he went on to express his conviction that the present continuous state of experimentalising should not be continued after this year, that there should be some permanency given to a Bill of this character. But I am rather inclined to think that the Government are only inclined to experimentalise still. They are not willing to follow, as the right hon. Gentleman the Member for Bridgeton is willing to do, their ideas to the full logical conclusion. They are not prepared to abolish public houses altogether. The Chief Secretary protests against experimentalising, but the Attorney General for Ireland is not so deadly opposed to that position. I remember being in the House last year when this measure was discussed; and the Attorney General for Ireland was in favour of the Expiring Laws Continuance Bill. He was not in favour of accepting the Bill as submitted to the House, but in favour of pruning the hours as it were. I gather from the remarks of the Chief Secretary to-day that in the same way he is only in favour of cutting down the time of opening on Sunday by a couple of hours, and of curtailing the hours on Saturday by a similar number. The second position I take up is that the boast that the closing of public houses in Ireland has been a success is not one based on the actual facts. Take the Committee over which the right hon. Gentleman the Attorney General presided. He and those who argue from his point of view agree in asserting that there was almost a unanimous opinion on the part of the witnesses who gave evidence before that Committee; but I deny the assertion *in toto*. There was a large and wholesome opinion on the part of representative men in Ireland that the Sunday Closing Act of 1878 had by no means been the success it was claimed to be. The right hon. Gentleman the Member for the Bridgeton Division said that shebeening and illicit drinking had not increased as a result of the Sunday Closing Act, and he went on to say that certain gentlemen who made Reports to him when he was Chief Secretary bore him out in that statement. I do not desire to import any political matter into this discussion; but I cannot accept as authorities on any matter relating to social or political life in Ireland the gentlemen to whom the right hon. Gentleman referred. The Resident Magistrates of Ireland, like many other officials in Ireland, cut their coat according to their cloth. They found the right hon. Gentleman wished to have certain information, and they gave it to him. The right hon. Gentleman is glad that information coincided with his view. As a Representative of the Irish people, I assert that no trust or confidence should be placed on the words of or the statistics compiled by the Resident Magistrates of Ireland. I assert that shebeening has increased under the Act of 1878, and I can appeal for support of my contention to the evidence given before the Committee over which the Attorney General for Ireland presided. I find that in the Metropolitan District of Dublin the number of convictions for illicit drinking in 1876, before the passing of the Sunday Closing Act, was 245, whereas in 1883, after the passing of the Act, the number was 370. In the matter of illici drinking Dublin may be taken as typical of the condition of the other towns in Ireland. The Chief Commissioner in Dublin presented to the Committee a Return of the number of persons who entered 30 public houses during each hour from 6 p.m. to 11 p.m. on Saturday the 10th of March, and from 2 p.m. to 7 p.m. on Sunday the 18th of March, 1888. That was after the passing of the Act. The number of persons who visited the public houses on the Sunday was 13,426. There are in the city of Dublin 943 retail licences, and therefore, if 13,426 visited 30 houses we can easily calculate how many visited the 943 houses. The point I push is this, that the statistics go to show that the people go to get refreshment, not to get drunk. If the thousands of people who visit these 943 houses on Sunday are debarred from the refreshment that they can have during six days of the week, where will they go when the houses are closed? I have given the figures in reference to illicit drinking, and if you deprive these people of the ordinary facilities, the outcome of which is not drunkenness, can any man of ordinary experience doubt the result? The Bill being brought up year after year, of course, the same facts and figures are given time after time. These go to show that the Sunday Closing Act of 1878 has led to an increase in shebeening, and is likely to lead to an increase of that illegal traffic if you extend the Act by this Bill. I hold that the Act has led to an increase in drunkenness. If you take the five exempted towns, and the evidence given before the Committee to which reference has been so frequently made, you will find that in Cork, Belfast, Limerick, and Dublin, there has been, as the result of the restriction upon Sunday trade, an enormous increase in drunkenness. The reason to my mind is this, as you close the legal channels from which refreshment may be obtained, you increase the temptation to illicit drinking, and unfortunately with this drinking vice of other kinds follows. There is a great difference in the fact of a man going for his refreshment to a well-conducted public house, and having only the means of getting the refreshment he desires at a shebeen. It is no mere assertion on my part, evidence before the Committee proves that in these five exempted towns there has been an increase of drunkenness, if you compare the statistics collected before and after the Sunday Closing Act of 1878 took its place upon the Statute Book. The Chief Commissioner of Belfast handed in a Return which shows the state of things as regards that city. In the four years before the passing of the Sunday Closing Act, and when in Belfast licensed houses were open from 2 to 9 on Sundays, the annual arrests for drunkenness on Sunday were 396, but in the four years after the passing of the Act which reduced the hours of sale by two hours, the number of arrests had risen to 512. By easy calculation, we may find, if in four years of the operation of the Act the numbers had thus increased, what the increase probably is in this year of grace, 1891. Belfast may be taken as a representative town for the North of Ireland, as Cork is of the South. In Cork the result is shown thus: Four years before the passing of the Act, with the houses open from 2 to 9, Sunday arrests, 319; in 1879, the first year that the restriction of hours came into effect, arrests for drunkenness on Sunday, 488; and in 1884 after six years' operation of the Act, 499. In Limerick the results shown are: in 1877, 143 arrests; in 1887, after nine years' working of the Act, 204. I maintain that the Sunday Closing Act, so far as the five exempted towns are concerned, has been shown in its restriction upon the hours to have been a striking failure, and I say if you attempt to extend the operation of this Act, it is reasonable to suppose that the same results will follow, and the state of these towns be worse. I cannot see why if hon. Gentlemen wish to try this social experiment they should not begin with London. I cannot understand why Ireland should be selected as the field for the experiment. Why not leave this question to the intelligence and capacity of the Irish people? Why attempt here with but slight knowledge of the conditions of Irish life to settle the paltry question of how many hours public houses shall be opened in Irish towns on Saturday or Sunday? If we had an assurance that this question is about to be dealt with in a whole-hearted fashion it would be some satisfaction, but we have no guarantee of the kind. The Attorney General for Ireland last year and the Chief Secretary this year have declared at that table that while they are in favour of the Second Reading of this Bill they will not commit themselves to details in Committee, but we want to know what the Government are going to do. The Irish people have given us no mandate on this subject, the majority of the people are anxious that this and other Irish local matters should be dealt with by their own Representatives. There is no strong expression of opinion of Irish Members in favour of the passing of this Bill, and in view of these facts the Bill should be held over and left to the Irish people for decision with other matters affecting the social and moral life of the people, through the means of the tribunal best fitted to give a decision—a tribunal sitting in Dublin. So I support the Amendment of my hon. Friend that the Bill be read a second time this day six months.

(3.43.) COLONEL SAUNDERSON (Armagh, N.): The hon. Gentleman who has just sat down has informed the House that no full and distinct opinion has been expressed on the part of the people of Ireland in regard to this Bill; but if hon. Members will read the names on the back of the Bill it will be found that, at any rate among the Irish Members of all classes, creeds, and shades of opinion, there is unity in trying to curtail the supply of whisky to the Irish people. The hon. Member has used a very remarkable argument; he has proved that in certain cities in Ireland, and particularly in Belfast, there has been a great increase in drunkenness, and that may possibly be, I do not contest his figures, but I say it is to these cities we want to apply the Act, and, therefore, the argument of the hon. Member supports our case that, because of the increase of drunkenness there, the Act should be extended to the five cities now exempted.

MR. CRILLY: The hon. and gallant Gentleman has misapprehended my point. My object in putting forward the figures was to show that, whereas before the passing of the Act by which the hours were restricted, the arrests in Belfast on Sunday for drunkenness were comparatively few, after the curtailment of the hours the number of these arrests largely increased. The Act then failed in the effect intended, and the same result may be expected to follow a still further extension of the restriction.

Colonel SAUNDERSON: I do not altogether follow that reasoning. Something is due to increase in population, and the argument of the hon. Member practically amounts to this—that the more public houses there are and the longer they are open, the more sober the people will be. The hon. Member for North Cork said that no ordinary Irishman could walk more than six miles without a glass of whisky; that he came to a dead standstill at the end of five miles; and that, therefore, this Bill was an unrighteous attempt on the part of the British Legislature to interfere with the prerogatives of Irish locomotion. If you could only establish a public house at intervals of five miles on Irish roads and start an Irishman at one end there is no knowing where he would get to. But I do not think the hon. Member puts these things forward as serious argument. Then the hon. Member for Louth (Mr. Nolan) made a speech which shows that he has devoted much time to his subject, and he elaborated it with considerable skill. The hon. Member informed us that the effect of Sunday closing in Glasgow was that drunkenness had disappeared from the streets and taken refuge in the back slums and in the houses. That is a great improvement, and any measure which tends to remove the hideous, melancholy spectacle of drunken men staggering about the streets deserves our support. If the effect of this Bill in Ireland goes no further than that, it will effect a great improvement. The arguments used have been similar to those with which we are familiar, in reference to the Coercion Act, an argument that may be employed against any coercive legislation that the effect will be to drive crime beneath the surface. Well, the Coercion Act passed, and crime, I am happy to say, against which it was directed has been in a great measure prevented above and below the surface. If this Bill is passed, it will have the effect of striking a blow at drunkenness in cities, and of getting rid of that disgrace to a Christian land and civilised community—drunken people staggering about the streets. Among my own constituents there is perfect unanimity in favour of the Bill. That opinion extends throughout the North of Ireland. Never has a Bill for Ireland been introduced which has enlisted so much public opinion in its favour as this Bill we are now considering, and which I hope the House will pass.

(3.50.) Mr. CLANCY (Dublin Co., N.): We have reason to complain, I think, of the manœuvre by which this Bill has taken first place on the Orders of the Day, and in the interest of fair discussion I think due notice should have been given of the arrangement. Though the promoters of the Bill may take credit to themselves for a clever move, I may remind them that such action is apt to provoke reprisal, and may operate to the disadvantage of the Bill in its later stages. The hon. and gallant Gentleman has expressed doubts as to the serious nature of our arguments, but certainly I cannot say that seriousness is a feature in his characteristic humour. The hon. and gallant Gentleman points to the names on the back of the Bill, but these only show that there are certain Members of each Party supporting the Bill, but these Debates show conclusively that Members of all Parties oppose the Bill. Certainly there is no evidence of unanimity of opinion in favour of the Bill. Legislation of this drastic character would be intolerable in any country were it not carried out, not only with the consent, but at the instance of the overwhelming majority of the population. Such an interference with liberty cannot be defended on any ground except that the vast majority of the population demand it. I believe that there is a demand for this kind of legislation in Scotland, Wales, and in certain small districts in the North of Ireland; but I assert that outside Ulster there is no demand made for this legislation by the overwhelming majority of the population. I do not believe that any Nationalist Member can say that at the last election he was pledged one way or the other on this question. The question has not been before the electors, and no Public Body in my constituency has asked me to support this Bill. Not a single Public Body elected by the people under any franchise in North Dublin, so far as I can recollect, ever asked me to support the Bill, and in the City of Dublin I am bound to say such evidence as there is is against the proposals in the Bill. Mr. Harrell, the Chief Commissioner of the Dublin Police, gave his evidence before the Committee and expressed his concurrence in the view put forward in the Resolution carried by the Corporation against this Bill, a body which he said he was sure had the welfare of the people at heart. Yet, in the face of testimony such as this from a man who stands apart from all Political Parties, who belongs neither to a temperance nor to a publican party, the House is assured by the Chief Secretary and others that the whole weight of evidence is in favour of the Bill. Mr. Harrell is a man of great experience. Before assuming his post in Dublin he was employed in Belfast, and prior to that he was employed in Ballina and other parts of the West, and his evidence can be relied on. I challenge anyone to show equally strong evidence on the other side. In the face of such evidence as this of Mr. Harrell and other witnesses before the Committee—in the face of the fact that no public demand, by meetings or in the ordinary way, has been expressed, I assert that to say that public opinion in Ireland has shown itself in favour of this Bill is to state what is not the fact. I know very well that there are in the County and City of Dublin honest and enthusiastic men who really believe that measures of this description are absolutely necessary in the interest of the people. I acknowledge that they have shown great capacity and great industry in mastering the details of this question, and great enthusiasm in calling meetings and getting up Petitions in favour of their views. But I beg the House to be on its guard against assuming for one moment that these excellent men, good-intentioned as they are, represent any but the smallest fraction of the population amidst which they live. I shall not make any protestations of my own sincerity in the matter. I believe I am correct in stating that I have never seen manifested in the usual way any overwhelming demand for this legislation in the County or City of Dublin, and, that being so, I do not feel justified in giving a silent vote or in refraining from expressing my conviction that, if you pass this Bill in the present state of opinion, you will be doing it without the sanction of the overwhelming majority of the people in the City and County of Dublin, and, I believe I may say, in direct defiance of their wishes. I think it is too much taken for granted that the opponents of the Bill have formed their conclusions on insufficient evidence. I have read some evidence on the subject which I consider of great value. The evidence of Mr. Harrell proves that our contention that this Bill would lead to drinking habits among the people, from which they are now to a great extent free, is founded on experience. Then there is the evidence of Mr. O'Donel, the Chief Police Magistrate of Dublin, who stated in his evidence that the strong opinion he expressed in 1877 against total closing on Sunday, or early closing on Saturday, was founded on the danger of increasing the number of shebeens and encouraging illicit drinking. He went on to say that his view remained the same on that subject; and he thought the total closing of public houses on Sunday would inevitably result in enormously increasing the number of shebeens, and would, therefore, have a very demoralising effect. Here we have the evidence of a gentleman of undoubted intelligence and great experience; and I say that when such an opinion is expressed by a man in Mr. O'Donel's position, it becomes a serious matter for social reformers to fly in the face of it. I most strongly protest, in the name of my constituents, against the adoption of this Bill. I have received no mandate from them to support it. I have never been asked a single question on the hustings about it, and I was elected without giving any pledge on the subject. I believe that all those who were elected with me in 1885 are in a similar position. The question was not before the constituencies in 1885 or 1886.

*Mr. JORDAN (Clare, W.): Because it was law.

Mr. CLANCY: It was only temporarily law. Every one knew it was a temporary Act, and that after the election the question would arise whether it was to be renewed or not. Nevertheless, the question was never raised, and not a single man in Leinster, Munster, or Connaught was asked whether he would support or oppose the renewal of the legislation. I know my hon. Friend the Member for West Clare has been for years a supporter of legislation of this description; and if he speaks to-day in favour of the Bill, he will speak his own convictions and not those of the men of the County of Clare, who send him to Parliament. I challenge him to say whether he said a single word about it to his constituents in 1885. I think there is every reason for refusing the Second Reading of the Bill.

(4.9.) MR. H. T. KNATCHBULL-HUGESSEN (Kent, Faversham): I regret that I am unable to follow the course taken by the Government and to vote for the Second Reading. Two reasons actuate me in the action I intend to take. One is, that I am strongly of opinion that the Bill involves an attack on temperance, of which I am an advocate; and the other is, that it involves an attack upon the principles of liberty. I cannot believe that it is possible to promote temperance by restrictive legislation. I believe such legislation is much more likely to promote than to discourage the consumption of intoxicating drinks. I believe that the common-sense of the individual and the existing law are generally sufficient to restrict the use of stimulants. The majority of us who use stimulants do so, I believe, under proper safeguards of self-respect, and the ordinary requirements of nature. Those who are a minority, who use stimulants to excess, do so at their peril and defiance of the law. Statistics have been invoked by both sides in this Debate. The right hon. Gentleman the Member for the Bridgeton Division of Glasgow says that there is an overwhelming preponderance of statistics in favour of the Bill. The opponents of the measure urge that the vast preponderance of statistics is against it. The right hon. Gentleman seems to have forgotten that statistics with regard to open convictions for drunkenness are easily obtained, but statistics as to private drunkenness are not to be obtained so easily. The right hon. Gentleman drew a picture of the gratification of the wife of a working man when her husband returns on Saturday night with his wages in his pocket. But he might just as likely return with a bottle of beer in one pocket and a bottle of whisky in another. I am inclined to think that Sunday closing has no deterrent effect; but that is not the main ground of my opposition to the Bill. Public opinion may or may not be in favour of the measure. I do not care how it goes, and I do not care for the statistics. I do not see why a majority, any more than a minority, should dictate to others what they are to eat or drink, so long as they do not break the law and cause inconvenience to the public. Measures of this kind partake of what I cannot call by any other name than grandmotherly legislation. I am sorry to see that it finds favour as much on one side of the House as on the other. Women Suffrage, Payment of Members, Compulsory Education, are all of this class. For these reasons I shall vote against the Second Reading.

*(4.45.) MR. H. J. WILSON (York, W.R., Holmfirth): Complaint has been made by the hon. Member for Dublin that the opponents of this Bill have been taken by surprise, but I do not think the complaint is legitimate. It was on the Paper, and, therefore, hon. Gentlemen should have been prepared to meet it. Moreover, a statement was made in Ireland by the Primate a week ago that the measure would be taken to-day, and I myself at a meeting in London on Friday last declared that it would come on to-day, and my declaration appeared in Saturday's papers. If hon. Members do not read the Irish newspapers or the English newspapers, or the Orders of this House, they have no right to protest in this House against the change which has taken place in the Orders of the Day.

(4.52.) MR. SEXTON (Belfast, W.): I see no reason whatever—and I have listened attentively to this Debate—to alter the position I took up on this question when it was last before the House. I then stated that it appeared to me that the question of the further development of the restriction on the sale of liquor in Ireland ought to be reserved for treatment by an Irish Assembly; in fact, that it was a question which only such an Assembly could successfully deal with. I say "the further development of restriction," because the House must remember that we are not dealing with a question of the foundation of restriction; there is already a very effective law in this respect in force in Ireland. Hon. Members should bear in mind that, except in five cities, public houses are now altogether closed on Sunday in Ireland, and on week-days they are closed in the large cities at 11 o'clock, and in the smaller towns at 10 o'clock. When I compare those regulations with the regulations which elsewhere generally prevail in civilised countries, I find that the restriction in Ireland is already of such a kind that it throws upon the promoters of the Bill the onus of showing that there is special need of further restriction. Now, I say that this is a question that ought to be raised in an Irish Assembly, and that leads me to ask whether there is any probability of the establishment of such an Assembly in Ireland? We know the present Government are pledged to deal with the question of Local Government in Ireland, and I am, therefore, inclined to wait to see whether their proposals will include the establishment in Ireland of such an authority as can properly deal with this question. The doubt will probably be resolved next year, that being the last year of the administration of the present Government previous to the General Election, and the Government being under a pledge to deal with the question. Furthermore, the question of the right of the Irish people to manage their own affairs will be a leading question at the coming General Election, and until that question is settled I am unwilling to assent to the proposition that further restrictions shall be imposed by the House of Commons. It must be remembered that we are here to-day legislating for another country. This Assembly is substantially and potentially an Assembly representative not of the people of Ireland—for we have no decisive voice—but of the people of Great Britain, and I should advise you to be cautious in proceeding further in what I venture to think is open to the imputation of being an odious process of inventing and forging restrictive sumptuary laws for a people other than your own. I am of opinion that, as a rule, moral energy such as is now being developed ought to radiate from a centre, and if this is a good Bill for Ireland it is a good Bill for England. I wish to know whether English Members generally would be willing to commit themselves to the principle that public houses in London and in the other great cities in Great Britain should be closed all day on Sunday? If you are ready to pass a Bill in that sense, and apply it to England, and if that Bill, being applied to England proves by experience to have beneficial effects, I think you would be in a far better position for asking that such a Bill be applied to Ireland. But until you show your moral sincerity by applying your moral theories to your own case, I deny your moral right to proceed further in the case of Ireland. I think the principle I lay down is not an unfair one. I say that if the principle of the Bill is a good one you ought to prove your sincerity by first applying it to yourselves. Moreover, in the attempt to push this restriction to such an extreme there is an offensive assumption of superiority on the part of Englishmen to which they are not entitled. There is in the social life of the great cities of England as much need of the hand of the social reformer in this respect as in any city in Ireland. And not only is there an offensive assumption of superiority, but there is also, I think, an undeserved assumption of the inferiority of the Irish people, and I, for one, as an Irishman, refuse to accept the assumption that the Irish people are in greater need of restriction of this kind than the subjects of the Queen in any other portion of the Empire. I would say to some of my friends on this side of the House, who are in favour of the principle of Home Rule for Ireland, and of confiding to Irishmen the unfettered care of their own affairs, that when they consider themselves justified in asking for other reforms to be postponed until an Irish Parliament is established, they give me a very strong and conclusive case for asking also for the postponement of the question now before the House. Take the question of education, for instance, for I desire to be quite frank. I saw, or thought I saw, a couple of years ago, a disposition on the part of the Government to deal with certain branches of the Irish education question in a sense satisfactory to the people of Ireland as a whole. I found, however, that amongst our Liberal friends who desire to give us Home Rule there was a feeling that it would be better to postpone dealing with that question until an Irish Parliament was established. I deferred to that view because I thought the question of the greatest importance was the establishment of a supreme authority in Ireland. Well, if our Liberal friends thought it right to urge, and if I thought it right to agree that an Irish reform, on which all Irish Members were of one opinion, might fairly be postponed in consequence of the imminence of Home Rule, until it was established, may I not plead with greater force that a reform upon which there is considerable difference of opinion amongst Irish Members should be postponed until Ireland has an opportunity of dealing with it herself? I think that argument is unanswerable. On the merits of the question I take no dogmatic stand. There never has been a specific presentation of this question at a General Election, nor any declaration of the people in favour of it. I would ask any fair-minded man who has listened to the Debate, and bears in mind the conflict of testimony and opinion, whether there is any such singular and exceptional social condition in reference to drunkenness, in consequence of Sunday opening in Ireland, as entitles the House to proceed to this extreme measure? Coercion may be offensive, and may be injurious in the moral as well as in the political scale, and I think that before you proceed to deal so drastically with the habits of the people, as you would do by the present Bill, you are bound to satisfy yourself whether there is an exceptional state of things existing. I say that no such thing has been proved or anything approaching it. There is nothing peculiar in Ireland on this question of social indulgence, and there is no more reason for it than in the case of England or Scotland. Statistics show that the prevalence of Sunday drunkenness in Ireland is extremely trivial. The next question is this—is this reform desired? Reference has been made to meetings. I need not suggest how extremely easy it is to get meetings together on any subject. You can get them up to affirm that there shall be a total closing of public houses or to affirm that the sale of drink shall be freed from all restrictions. But there is no such public opinion on this subject in Ireland as entitles the promoters of the Bill to declare that public opinion is on their side. As to Belfast, which city is dealt with in the Bill, I am in a position to say that the Catholic Bishop is of opinion that a further shortening of the hours of opening on Sunday is not required. Many people are of opinion that this further extension is not required by the class affected by it, and it is a cogent argument, in legislating for a free people, that legislation should be desired by the class affected by it. Moreover, there is an opinion that entire closing in the five cities would not produce the beneficial social effects anticipated, but would lead to the spread of illicit indulgence and to the deterioration of home life. I think there is considerable doubt whether this Bill would lead to the results which the promoters claim. With every desire to be impartial, I shall reserve my views on this question until it is dealt with by an Irish Assembly. I say, upon the facts we have before us, it is not conclusive that this Bill is required, that there is any wish for it on the part of the particular class affected by it, that there is a preponderating majority of the Irish people in its favour, and that if adopted it would have the desired effect. As to referring this Bill to a Grand Committee, I join in opposing that step. The Bill is one of details, and not of principle, and it is one that ought to be dealt with by a Committee of the Whole House. If it were removed to a Grand Committee upstairs, Irish Members, beyond the 7 or 8 of them out of the 100 Members who are upon that Committee, would have no opportunity of dealing with it except on the Report stage, when a Member can only speak once. This proposal to refer the Bill to a Grand Committee is a novel one, and I warn the Government that the Report stage, if they carry out the proposal, will have to be used in such a way as to serve both the Committee and Report stages. I have heard it broached in this House that Scotch questions should be referred to Scotch Members, and I have heartily supported that view. But here is a proposal to withdraw a subject from the consideration of Irish Members which specially affects their constituents. If it is supposed that we will tamely submit to that insult, I can assure hon. Members they are mistaken. I hope the Government will re-consider their decision with regard to sending the Bill upstairs; that they will allow it to go to a Committe of the Whole House and not take the novel step of withdrawing from the purview of the Irish Members a subject which so closely interests them.

(4.35.) MR. PARNELL (Cork): I am glad to have an opportunity of joining my voice to the very able and eloquent protest which has just been delivered against this Bill, and the method proposed to be taken on the Second Reading on the part of its supporters, by the hon. Member for West Belfast, who represents an important Division of one of the five cities affected by this Bill. I wish to direct the attention of the House to a very important incident which has accompanied this Debate on the Second Reading. The Second Reading has been moved and seconded by Irish Members, but without waiting to hear the views or opinions of any single one of the Members representing at least four out of the five cities affected, or the opinion of the hon. Member for West Belfast, the two Front Benches have vied with each other in their alacrity to support the Second Reading of the measure. I am not surprised at the Chief Secretary taking that course; I do not think that the right hon. Gentleman has shown any inconsistency in supporting the Second Reading against the opinions of the Irish Members, because the right hon. Gentleman has throughout his tenure of office always firmly maintained that it is for the whole Imperial Parliament and the body of English Members to decide questions relating to any portion of Ireland, and that it is not for him to ascertain the opinions of Irish Members or of the Representatives of different interests in Ireland with reference to legislation that may be brought before the Imperial Parliament from time to time. But the two right hon. Gentlemen on the Front Opposition Bench—the right hon. Gentleman the Member for Derby and the right hon. Gentleman the Member for Bridgeton—cannot plead the same excuse. They have always announced, at least in recent years, that they desire to hand over the duty of deciding on Irish questions to Irish Members and an Irish Assembly. On a question of how much Irishmen should eat or drink, the right hon. Gentlemen surely might have shown their attachment to the principles they have so loudly proclaimed on so many English platforms, by waiting until they had heard the opinions of Irish Members, and especially the opinions of those who represent the cities affected by the Bill, before they rushed forward with that charming display of Liberal pharisaism in their attempts to make the Irish people sober by Act of Parliament. With regard to this question of sobriety, I waited to hear what is to be said for the shutting up of public houses on Sunday in Cork, and I have waited in vain; no statistics have been brought forward to show that there is any exceptional intemperance. On the contrary, the statistics show that the City of Cork is an unusually sober one; I understand that not one in 20,000 of the population are arrested for drunkenness on Sunday. No one would dare to propose such a measure as this for any English city, and surely English Liberals and Radicals, who have pledged themselves to the principle of Home Rule, and who denounce all English legislation for Ireland on the ground that it comes in a foreign garb, might have waited for some cases to be set up of exceptional intemperance before they support this Coercion Bill, for it is one. Is any case made out for doing for these Irish cities what would not be done in the case of any large English city? No attempt has ever been made to show in the case of these Irish towns that there is any exceptional drunkenness or crime arising out of intemperance. Therefore, it is fair to complain of the course taken by the two Front Benches in accepting the principle of the measure without waiting to hear a word from those Members representing the five cities most intimately concerned, and without waiting to hear the opinion of Irish Members generally. That Irish opinion has never been expressed upon the question except in a negative sense. I have searched the Divisions which have been taken during the present Parliament upon similar Bills. I searched the Division Lists of the present Parliament in connection with similar Bills, and I find that only an insignificant minority of the 105 Irish

Representatives ever voted in favour of the Second Readings, while only a very small fraction ever spoke in favour of those measures. My constituents have not instructed me on the question, but I am firmly persuaded that they are opposed to the Second Reading of the Bill. The Bill is one which will affect important trading interests in the cities concerned; and it will largely affect the habits and the comfort of the poorer classes; and before this Second Reading is jumped at by both the Front Benches, the Liberal Party should pause to ascertain the views of those concerned. Taking the Bill on its merits, I doubt very much whether it will effect its object. The Sunday Closing Act which was passed for Ireland in years gone by has not in the slightest degree diminished intemperance or the consumption of alcohol in Ireland. The Returns show an increase of intemperance since the Sunday Closing Act was passed, so that instead of diminishing it has increased drunkenness. This Bill is one of the many ways for meeting the evils of intemperance—one of the many nostrums brought forward by both Parties for dealing with intemperance in Ireland. One day it is a Bill for closing public houses every day in the week; another day it is a Bill for closing them on Saturday, and on the third occasion it is a Bill for Sunday closing, and yet again it is a Bill to set up what is called local option. This is one of the many proposals that have been made for the purpose of checking what is undoubtedly a great evil—the evil of intemperance. But I deny that the experience of the measure already in existence throughout the counties of Ireland has shown that it has tended to check the intemperance which undoubtedly does prevail in Ireland, and, perhaps, in a corresponding degree in England and Wales. Until it has been shown that any measure of success has attended the working of the existing measure throughout the rural districts, your case for extending such an exceptional Act of Parliament to the five large cities included in this Bill falls utterly to the ground. But if the Bill were ever so good, and under ordinary circumstances ever so likely to effect its object, yet, in all probability, you would find that you would be disappointed with the results, and painfully so. The measure would come to Ireland as one which has not been sought for by her Representatives in the first instance, and which certainly has not been sought for by her people. There has been almost an entire absence of Petitions with reference to it, and no pledges or declarations were sought for or obtained from Members on the subject at the General Elections of 1885 and 1886, or at any subsequent by-election. The Bill will come to Ireland as a patronising attempt on the part of the majority of the English Members in the House of Commons to make the Irish people sober. The Irish people will naturally say, "Make yourselves sober first." Why should this experiment be made upon the body of the Irish people? Perhaps on the principle of *Fiat experimentum in corpore vili.* Anything is good enough for Ireland, no matter how doubtful its character. No doubt that is the view of the great majority of the Liberal Party in the House, but a measure conceived under such auspices is foredoomed to failure. The Irish people will naturally say this is a part of the insolent system to which we have been accustomed for so many years on the part of the English nation; and we decline to believe in our excessive drunkenness in comparison with our kind English friends. The Irish people will doubt the *bona fides* of this measure, and will do their best to circumvent it, as the measures in existence have already been circumvented. In some parts of Ireland there are people who obey the provisions of the Act by walking the requisite number of miles to constitute themselves *bonâ fide* travellers, merely for the purpose of defeating the law, and people thereby cultivate a taste for strong drink who would naturally shrink from entering the public houses of their own villages. Now, Sir, I wish to ask whether the House thinks that this is a Bill in reference to which Irish feeling should not be consulted? If this measure does not involve one of those questions on which Irish opinion ought to be heard what question could possibly come within that category? On what possible subject have Irish local claims and wishes a better right to be regarded than on the question before the House? It is all very well for hon. Members above the

Opposition Gangway to pledge themselves to Home Rule and to the right of Ireland to make her own laws; but they seem to think that they absolve their consciences by cheering the hon. Member for West Belfast when he urges that the Bill should be referred to a purely Irish Committee. I cannot accept this as enough from men who know perfectly well that the proposal of the hon. Member for West Belfast has not the slightest chance of being accepted. If they wish to be consistent they should leave to Irishmen the settlement of this delicate question, which is surrounded by difficulties, and the solution of which would demand all that is best and most experienced in Irish public life, when the time comes for the Irish people to make their own laws in an Elective Assembly in Dublin. If hon. Members do not wish to prejudice this question beforehand by their meddlesome interference and bungling attempts to legislate in reference to the wants of people whom they cannot possibly understand, and in reference to a matter of which they are profoundly ignorant, then they will vote against the Second Reading of the Bill. If they believe that the time is near when Ireland will decide these questions for herself, if they believe their own platform declarations, they will vote against the Bill, knowing that no time will be lost by leaving the consideration and settlement of the question to the Parliament which we all hope to see soon established in Dublin.

(4.59.) MR. M. HEALY (Cork): I do not intend to assist the opponents of this Bill, and to prevent the House from coming to a decision upon it. I only rise for the purpose of assuring the House that neither on this nor on any other public question does the hon. Gentleman who has just sat down represent the City of Cork. If the hon. Gentleman wishes to test the truth of my words let him keep the promise which he made to his constituents.

*(5.0.) SIR J. M'KENNA (Monaghan, S.): I wish to point out with regard to what has been said, and in reference to the relative sobriety of the Irish and Scotch people, that it has been shown by the published Returns that although the population of Scotland is 1,000,000 less than that of Ireland, the consumption of whisky in Scotland exceeds that of Ireland by 1,000,000 gallons. I believe the weight of evidence goes to show that most of the people of Ireland are opposed to the increased restrictions proposed by this legislation.

MR. JOHNSTON (Belfast, S.): No.

*SIR J. M'KENNA: I refer to the proposed closing of public houses in the five large cities where now several hours trade is permitted on Sundays. Those residing in large communities wish to have an opportunity of meeting one another in social intercourse for a few hours on Sundays, as well as, or perhaps more than, on other days. If you are going to force Sunday closing on the large towns in Ireland, why do you not enforce it on the large cities and towns in England? I think the votes of the Metropolitan Members on this question will be very closely watched by their constituents. I believe that if this drastic legislation is carried it will actually tend to defeat the object aimed at, and that the consumption of ardent spirits will be increased instead of being diminished, as in the case of Scotland, to which I have referred.

(5.4.) MR. BLANE (Armagh, S.): In the earlier days of this movement I was in favour of a Bill such as this, and I allowed Mr. Biggar to put my name on the back of one. I am one of those who can distinguish between drink and drunkenness. There are many classes of intemperance, and some of the language I listened to a few minutes ago did not impress me as being temperate. I hold that this is a matter which might very well be left to an Irish Parliament for decision. If the Radicals and Liberals above the Gangway are so anxious to give us Home Rule let them leave this question to the Irish. It is purely an Irish question, and I do not see why the people of England should be so desperately solicitous about the welfare of the Irish, or about the amount of drinking that goes on there. Their anxiety altogether surpasses my comprehension. I know one thing, and that is, that there is more drinking in the City of London than in all Ireland. Why do not you start this machinery for Sunday closing in your own enlightened city? Why do you not set us the example? How can you expect us to accept it unless you do? Again, in London there is more crime resulting from drink than there would be in Ireland even if its population were twice as large as it is. Some of those who are in favour of passing this Bill are Coercionists in more senses than one. They always vote for coercion of every description. They say that drunkenness ought to be abated. But this Bill will not abate it. I will tell you what it will do. It will lead to a larger amount of illicit distillation. To that I have no objection. In my own constituency we make our own whisky sometimes, despite the gaugers and the Chancellor of the Exchequer. We look upon that as a method of shutting off, to some extent, some of that English tribute, every halfpenny of which we grudge. The right hon. Gentleman the Member for Mid Lothian was perfectly right in his Home Rule Bill to make a net through which this money should pass. I am not in favour of any money getting through the net. I think we have sent a larger amount of money to England through the Customs and Excise than we ought to have done. I am not in favour of the Bill, because it restricts the already restricted liberties of the Irish people, and I shall vote against it. I hope the Bill will not be carried by the votes of English and Scotch Members. I am entirely ignorant on many English and Scotch affairs, and I do not vote upon them unless I know the feeling of the majority of the people in the district. I see that not one-half of the Irish Representatives are here to-day. Can it, then, be said that this is a burning Irish question? Surely if it were it would have been possible to secure a larger attendance. I shall go into the Lobby against this measure. I say that in a dying Parliament such as this—a Parliament bereft of authority from the country—there is no right to legislate on a matter of this kind. It ought to be left to a future Parliament—English, if you will; but Irish, as I hope it will be. If Radicals and Liberals believe in an Irish Parliament, then this is one of the first measures which might be submitted by temperance reformers to such an Assembly. I am in favour of so submitting it. I am not in favour of legislating here for Ireland against the interest of the only trade you have not destroyed. You have destroyed our industries; this is the only trade which survives, and it does so, I suppose, because it is a spirit. Men who earn large salaries of course would not be affected by the Bill, but it is the poor man who will suffer.

*(5.14.) Sir C. RUSSELL (Hackney, S.): The hon. Member who last spoke began by informing the House he had endorsed the principle of a former Bill of this nature by allowing his name to be placed on the back of it, and I do not gather that he has stated any clear reason for having changed his attitude on the subject. The hon. Member for Cork, who first addressed the House as the Representative of that constituency, spoke of what he designated the hasty, inconsiderate course adopted by the two Front Benches in supporting this Bill, without first taking care to ascertain the opinion of the Irish Representatives. He levelled the reproach particularly at the Front Opposition Bench. But he appears to have made those observations in some temper, and in entire forgetfulness of the whole history of this question. The hon. Member spoke as if this question had not been discussed in past years and in previous Parliaments. He appears to have forgotten that this is a question which has almost an ancient history, and that the progress of the discussion of this question has shown not only that there was at the outset a strong body of Irish opinion in favour of a measure of this kind, but that the volume of that opinion has been increasing as the discussion has gone on. The Committee appointed in 1888 consisted altogether of 15 Members, and the majority (eight) were Irish Representatives. That Committee arrived at the conclusions embodied in the Bill before the House, that the Act of 1878 should be made perpetual, and extended to the five cities now exempted from its operation. When the question came up in Parliament last year, what was the state of the Irish representation on this point? Altogether there were 42 Irish Members who voted on that occasion, 28 for the Bill, and 14 against. In those circumstances, what warrant has the hon. Member for Cork for saying that that was not a fair proportional representation of the opinion in Ireland on the subject, or that there will be a larger proportional adverse vote on the present occasion? I have, of course, no authority

to speak for right hon. Gentlemen opposite; but I am empowered to say, on behalf of the Front Opposition Bench, that it is in view of the growth of Irish opinion on the question that my right hon. Friends have taken the part in the Debate of which the hon. Member for Cork complained.

Mr. LEA rose in his place, and claimed to move, "That the Question be now put," but Mr. SPEAKER withheld his assent, and declined then to put that Question.

Debate resumed.

(5.20.) MR. J. G. FITZGERALD (Longford, S.): I am always glad to listen to recommendations by the hon. and learned Member who has just sat down, because ever since I have known anything about him I have regarded him as what, indeed, he is—a friend of Ireland. But I think that even he in his calmer moments would not assert that 28 out of 105 Irish Members showed a fair representation of Irish opinion in favour of this Bill, or such a representation as to justify this House in carrying a Bill on an exclusively Irish topic. From the speeches to which we have listened for the last two hours one would infer that the future destinies of Ireland were in a very short time indeed to be confided to the dozen water drinkers of Cork who assemble in the back rooms of that City to listen to the orations of the junior Member. The hon. Member certainly does represent the views to an exceedingly limited extent, as I know personally, of the citizens generally of the City of Cork. I have a good deal of knowledge of the city, and I never heard yet that its trade and commerce were confided to the tender care of the junior Member for Cork. Besides, Sir, this is not a matter merely affecting Cork; it relates to Ireland generally. There is little trade or commerce in Ireland, and I am at a loss to know why a certain section of politicians in the House should introduce a Bill to restrict the only prosperous trade that the country has. Although I am an advocate for temperance, I am not desirous that the people of this country should attempt to "soberise" the people of Ireland before they have "soberised" themselves. Again, I do not believe the effect of the Bill would be to soberise the people. There is another objection to which I attach great importance. If the Bill were passed its operation would be confided to people who are particularly obnoxious to some of my political friends—to the police of Ireland. It would be used as a political weapon against political opponents; it would be used to persecute objectionable persons. I think the question should be left to that Legislative Assembly which will soon be created in Dublin to manage the internal affairs of Ireland.

(5.26.) MR. PINKERTON (Galway): It seems, from the course of the Debate, that the hon. Member for Cork and his supporters think that "the English wolves" are suffering from hydrophobia.

(5.27.) Question put, "That the word 'now' stand part of the Question."

The House divided:—Ayes 248; Noes 94.—(Div. List, No. 132.)

Main Question proposed.

Debate arising.

It being half after Five of the clock, Mr. Speaker proceeded to interrupt the Business.

Whereupon Mr. T. W. Russell rose in his place, and claimed to move "That the Main Question be now put."

Question put, "That the Main Question be now put."

(5.45.) The House divided:—Ayes 276; Noes 31.—(Div. List, No. 133.)

Main Question, "That the Bill be now read a second time," put accordingly, and agreed to.

Bill read a second time.

Motion made, and Question proposed, "That the Bill be committed to the Standing Committee on Law, &c."—(*Mr. Lea.*)

Debate arising.

It being after half-past Five of the clock, and Objection being taken to Further Proceeding, the Debate stood adjourned.

Debate to be resumed To-morrow.

It being Six of the clock, Mr. Speaker adjourned the House without Question put till to-morrow.

House adjourned at Six o'clock.

HOUSE OF LORDS,

Thursday, 16th April, 1891.

REPRESENTATIVE PEERS FOR IRELAND.

Lord Teignmouth (Claim to vote for Representative Peers for Ireland)—Ordered and directed, That a Certificate be sent by the Clerk of the Parliaments to the Clerk of the Crown in Ireland, stating that the Lord Chancellor of the United Kingdom has reported to the House of Lords that the right of the Lord Teignmouth to vote at the elections of Representative Peers for Ireland has been established to the satisfaction of him the said Lord Chancellor; and that the House of Lords has ordered such Report to be sent to the said Clerk of the Crown in Ireland: And it is hereby also Ordered, That the said Report of the said Lord Chancellor be sent to the Clerk of the Crown in Ireland.

The Lord Ebury—Took the Oath.

PROTECTION OF MARRIED WOMEN.

QUESTION—OBSERVATIONS.

*The Earl of WINCHILSEA: I beg to ask the Lord Chancellor a question, of which I have given him private notice—whether his attention has been called to statements by certain Magistrates that, in consequence of the decision in what is known as the Clitheroe abduction case, they will no longer make Separation Orders, or otherwise interfere for the protection of married women; whether the law as laid down in that case has really such an effect as those statements seem to import; and, if so, whether the Government will propose legislation on the subject?

The LORD CHANCELLOR: In reply to the noble Lord's questions, I beg to say that I have not myself seen the statements of Magistrates which he mentions; and I should be very unwilling to think any such reports could be accurate, and that any Magistrates could have given utterance to the statements attributed to them. Nothing, to my mind, could be more inappropriate or inconsistent with the demeanour which becomes persons in judicial positions than to make general statements beforehand as to their views on classes of cases which may come before them; and I should be reluctant to attribute to any Magistrate, on the authority of a newspaper only, a view of the law laid down in the case referred to so erroneous as almost to appear perverse. The Court of Appeal released, by their order, a person whom they held to be in unlawful custody. As to legislation, therefore, as the noble Lord sees, there is only one point to be dealt with—whether or not a man may imprison his wife. I am sure that the Government will not propose a Bill to enable a man to imprison his wife, and I should not myself personally be able to give such a measure my support. If they did bring in such a Bill, the facts published in the recent application for a *habeas corpus* would not, I think, be likely to assist them in passing it.

Lord ESHER: My Lords, as I was a party to the judgment, which seems to have been more misunderstood than any judgment I recollect, I, perhaps, may be excused from making an observation. It was urged before the Court of Appeal that by the law of England a husband may beat his wife with a stick no bigger than his thumb if she refuses to obey him, and that if a wife refused her husband conjugal rights, whatever that phrase may mean, which I have never been able to make out, he may imprison her until she restores him conjugal rights, or satisfies him that she will. All that the Court of Appeal decided was that a husband cannot by the law of England, if the wife objects, lawfully do either of those things. Those intelligent people who have declared that the judgment is wrong must be prepared to maintain the converse, namely, that if a wife disobeys her husband he may lawfully beat her; and if she refuses him a restitution of conjugal rights he may imprison her, as it was urged, in the cellar or in the cupboard, or, if the house is large, in the house by locking her in it and blocking the windows. I thought, and still think, that the law does not allow these things. The intelligent objectors say that by so holding we made a decree for the restitution of conjugal rights a farce, so that it is a farce to grant it; and that a Magistrate ought not, or even cannot, give a protection order to a wife. They may rest assured that the Court did not hold any such nonsense. If there is a difficulty in enforcing a decree of restitution of conjugal rights it is caused by the Legislature, which lately took from the Divorce Court the power of imprisoning a wife for contempt for refusing to obey such a decree. But—perhaps it may appear absurd to the intelligent critics—we did not think that, by taking away from the Court a power which the Legislature thought was oppressive and unnecessary, the Legislature meant to give to the husband the power of perpetual imprisonment which it took away from the Court. We thought, and I still think, that the Judge of the Divorce Court may grant a decree, and the Magistrates may make an order, and that they need not attribute to the Court of Appeal decisions which, if they had read the Judgment, they would probably have seen that the Court of Appeal did not arrive at. I cannot see that the critics have reason to find fault with the decision of the Court of Appeal, which, begging their pardon, I venture to think was perfectly right.

MARRIAGE ACTS AMENDMENT BILL [H.L.]—(No. 79.)

SECOND READING.

Order of the Day for the Second Reading, read.

*THE BISHOP OF LONDON: My Lords, this Bill has been introduced after a great deal of consideration for the purpose of dealing with certain troubles and difficulties in the working of the present law of marriage. The complaints which I get in very great numbers from the clergy of this diocese, and which I have heard also from the clergy of other dioceses, are that they are put into great difficulties by the rules which they have to obey. They are obliged, in many cases, to make inquiries, which in the present state of things it is practically almost impossible for them to make, and they are subject to exceedingly severe penalties under the Acts bearing upon the subject if they cannot prove that they have made sufficient inquiry in any case where the law has been broken. It is quite true that the Courts in their interpretation of the Acts have always, as they naturally would, done their best to protect the clergy where there has been no intention to disobey the law; but still, for all that, the clergy are placed in a very difficult position; and in certain cases of breach of the law, in consequence of the difficulties that they find in obeying its provisions, are liable to 14 years' transportation for celebrating marriages where, as far as they could see, everything was quite right, but where, in reality, some serious impediment existed. The banns are now put in three Sundays before the marriage, and those who put them in are required to state their residence to be in the clergyman's parish. In the vast number of cases the residence is merely nominal, and the clergy have very little chance of being able to ascertain whether it is real or not. Practically the law is evaded in hundreds and hundreds of cases, and, meanwhile, as matters stand, the clergy are often involved in serious trouble and perplexity. Besides this, there is constant discontent on the part of the laity at the restraints which are put upon them at present in the matter of choosing in what churches they shall be married. They very often feel that those restraints are very unreasonable indeed. A man, for instance, living in a district parish in London, and probably not knowing exactly what is the boundary of his own parish, but worshipping at some church in the district near him, not within his own parish, finds to his great surprise that he is not allowed to marry in the church where he has always worshipped. As far as he can see there is no reason whatever why he should not be married in the church where he usually worships and where he is generally known, or why he should be compelled to be married in some church where he does not usually attend, and where nobody knows anything about him. The laity further complain that their right of being married in the Mother Church of a large parish which has been divided has now been taken away, and they cannot get married in the Mother Church where their fathers and mothers have been married before them. They look upon these things as great hardships, and the hardships are felt the more because they see no particular public good that is done by insisting upon, and no necessity for, such restraints. Though the matters which are the subject of those complaints may not seem to some persons to be of any very great consequence, yet they do cause a great deal of friction, and much annoyance to the clergy. Undoubtedly these restraints cause exceeding discomfort, because it is very hard for any clergyman when he really desires to obey the law to be quite sure that he sees exactly how the law is to be obeyed. Besides those, there are cases which need special provision, namely, those where persons are not living in any parish at all, but in boats upon canals and rivers, or on board ship; and it is desirable that their cases should be dealt with upon some regular system. It is also felt to be a great evil that the marriage fees at present required in the churches should be so much larger than those which are charged in a Registrar's office. The result of that is that there is a growing tendency towards giving up marriage in the church, and substituting marriage at a Registrar's office for the solemn ceremony which Christians ought certainly to undergo upon the celebration of their marriage. The Bill proposes to deal with all these matters. It has been very carefully considered, and it is hoped that the provisions of the Bill will remove a great deal of the present trouble, and make the law of marriage, as far as marriage in church is concerned, very much clearer than it was before. I need not say anything about Sections 1, 2, and 3, which practically only repeat the present law; but the 4th section empowers parties to be married in any church of the diocese in which the banns have been published, and does not confine the marriage to the precise church in which the publication of the banns has been made. It thus gives a very large extension of liberty. There does not appear in these days of rapid communication to be any reason for restricting the marriage to the place where the banns have been published, and certainly anything which allows greater freedom in this respect will be a boon to the laity, and will I think tend to encourage marriages taking place in church very much more than hitherto. In the 5th clause it is proposed to deal with seamen by recognising for this purpose a church or chapel in the parish in which the man usually lives, that it shall be treated as if he was there living, even though he may not be residing in the place at the time when the banns are published. But it is the 6th clause which most effectually protects the clergyman, because he will have the power of requiring from the parties desiring to be married a declaration as to various particulars similar to that which is now required at the Registrar's office. There does not seem to be any reason why the Registrar should, and the clergyman should not, be allowed to ask questions which have to be answered on pain of punishment. If a man is to be married at a Registrar's office he is required to answer those questions, and there seems to be no reason why, if he is to be married in a church, it should be left to the clergyman to find out, if he possibly can, what the law requires. In a large number of cases it is simply impossible for him to do so, and this section provides that he shall be put on the same footing as a Registrar. Sections 7, 8, 9, 10, and 11 provide for marriages by licence instead of by banns. There is nothing very peculiar in them. They confer the same liberty upon the persons desiring to be married as is given when the marriage is to be by banns. In the case of seamen the fact that a man is on board his ship is to be recognised as if he were residing in the diocese where he gets the licence; and if he comes on shore to be married he can get the licence exactly as if he had been all the time living in the parish. There does not seem to be any reason why he should not have that liberty granted to him. There are special provisions in Clauses 11 and 12 which I do not think I need speak further about, with regard to the sending of notices of the marriage of persons residing in canal or river boats. By Clause 13 it is proposed to effect great changes in the fees for performing marriages by making them the same for marriages in church as in the Registrar's office. This is, of course, a considerable change, and it is likely that in many cases the clergy may lose something by it. The 14th is a mere protective clause. The 15th is more important, inasmuch as it puts a false statement made to a clergyman on the same level as a false statement or declaration made in the Registrar's office.

The other clauses are nothing more than formal or consequential. This Bill, it will be seen at once, seriously affects the clergy, and therefore it is right to say that it has been very carefully considered, both by the clergy in the Diocese of London generally, who are the most seriously affected by it, and also by the Convocation of the Province of Canterbury. It has also been considered by the Convocation of the Province of York. In the diocese of London the clergy—the vast majority, about nine to one—are strongly in favour of fixing the marriage fees at the same rate throughout for marriages in church as in the Registrar's office, and the Lower House of Convocation of the Province of Canterbury have accepted the proposal, though not unanimously, yet by a very large majority indeed. So that I think I may assure the House that I am representing the wishes of the clergy in proposing that such a change as this should be made. The whole Bill, I may say, has the approval of both Houses of Convocation of the Province, and I submit it therefore to the House, not merely as a Bill of my own, but as one which is, speaking generally, backed up by all the authority of the Church. I do not question that the measure may not require very careful consideration, and perhaps a good deal of amendment in Committee. A Bill of this sort is sure to require very careful revision, especially by lawyers, to put it in proper form, and it has not yet received perhaps that full consideration by lawyers which it ought to have before it is passed into an Act. Therefore I expect that in the Standing Committee, if it is referred to the Standing Committee, as I rather hope it will be, there will be a good deal of criticism on details, which, for my part, I shall very heartily welcome, because I think it is of the greatest importance that a measure of this sort should be made thoroughly workable. So far as it can be considered outside the House I think it has been fairly considered. It has been before the clergy, as I have explained, both in Convocation and generally all over England, and I may say that I have particularly brought it before the clergy of the diocese of London. It has been before them for two years, and therefore there can be no question that those who are most particularly concerned in the matter have had the fullest opportunity of considering the effect of it. I now ask your Lordships to give the Bill a Second Reading.

*LORD GRIMTHORPE: My Lords, I quite agree with the main object of the Bill, and I have very little to say in the way of criticism of it here. As the right rev. Prelate says, there are details which will have to be attended to, and in Committee the lawyers may, as he says, be able to point out certain matters for which provision will have to be made, which even the two Convocations have not discovered. One of the objects aimed at by the Bill, which, indeed, the right rev. Prelate very properly put first, it is certainly desirable should be effected, and he might, I think, have gone a little further than he did when he said that people are unable to see the necessity for the present restriction or that any public good is done by it in regard to people being married in any church of the place where they live, because that difficulty was really never intended. The difficulty in people being married in any such church is generally considered to have arisen from a mistake in the Act of 18 & 19 Vict., commonly called Lord Blandford's Act, in which there was a provision that where a new parish was created it was to be an ecclesiastical one for all purposes; and that has been decided to cut off the connection with the old parish church completely. I have always heard that the authors of the Bill, and those who supported it, had no intention of so cutting off the new districts, and the people living within them, entirely from their old parish church. I happen to know that people do resent that very much, and that, whether they are in the habit of going to that parish church or not, they are very angry at it. I merely wished to add that as a supplement to what the right rev. Prelate has said. With regard to the publishing of banns, I may mention at once that the Bill seems to me very imperfect in that respect, unless it is intended that new Parliamentary rubrics should never be followed by those who have the printing of them. Looking at the Prayer Book, and the rubrics in it, one at the end of the Nicene Creed, and two others in the marriage service itself, they seem to have become very wrong. The original ones were entirely supplanted by the Act of George IV., which is referred to here, and somehow or other the Queen's printers, or somebody else, whoever may be responsible, took upon themselves to make new rubrics. And they were, at any rate, understood wrongly by the clergy for a long time, until a judicial decision was given upon them. Baron Alderson had to try a case in which those points were involved, and after he had pointed out where the clergy were wrong the practice became different. The old rubric after the Nicene Creed, which is referred to here, said that notices of banns and sundry other things were to be published then, and there was no provision for there being no morning service with that creed. Thereupon provision was made in the Act of George IV. that where there was no morning service banns should be published at the evening service after the Second Lesson, but the Universities and the Queen's Printer printed the new rubrics so ambiguously that that was not generally understood. Besides that, nobody had a legal right to alter them at all, even to accord with the Act. The question is whether we ought to allow the Bill to remain in the form in which it is now, leaving the same kind of practice to be gone through again. I cannot help thinking that we had better make the Bill complete, or at any rate give to the proper persons authority to make the rules correct. Of course we might make them so ourselves, but I think it would be better to give the proper authorities power to authorise new rubrics to be printed. When I mentioned that, I was answered as I knew I should be, that the Convocation would insist that they only had a right to alter the rubrics. It is quite true that in 1662, when the whole Prayer Book was modified a very little from the previous one, the matter was referred to the Convocations to give their opinions upon it, but Parliament was not the least bound to accept them even as to doctrine or ritual, and *à fortiori* not on marriages. Nor did they make any material alteration from those rubrics of the second Prayer Book of Edward VI., until 1824. This claim of Convocation is an entirely new one. Parliament has never regarded it as right, and Parliament has altered every marriage rubric and canon that has existed. But now, 60 years very nearly after the great Act of George IV., Convocations are waking up on the point, and putting in a claim to meddle with rubrics not affecting matters of Church ritual or anything of that kind, but about the purely lay matter of marriage. I call it a purely lay matter for this reason: Long ago, no less a person than Lord Hardwicke said in one of his decisions, that, although the laws affecting marriage are, in a sense, ecclesiastical, Convocations have never been allowed to meddle with them. In 1874 both Lord Salisbury and Lord Selborne on the Public Worship Regulation Bill laid down the same thing very emphatically, that Convocation has never been allowed to meddle with any matter of jurisdiction. Therefore, I say at once now, this is not a mere matter of detail to be dealt with in Committee. Assuming, then, that these rubrics are to be referred to somebody to amend, the question is who it should be. We are making the law, not the Convocations, who have nothing to do with it. But I think both your Lordships and the clergy will think that may well be left to the two Archbishops to do, with, of course, the consent of the Crown. Having said that, I turn to another object of the Bill. It is quite true, as the right rev. Prelate has said, and as great Judges have said, that clergymen might be subjected to very considerable penalties if they did not happen to have made inquiries which every sensible man knows must be utterly futile and impossible; and if it is intended that clergymen should know whom they marry, it is of course desirable to give them the proper means of making the necessary inquiries. As the law stands at the present, less inquiry is required to be made in putting up banns than either for granting licences or for solemnising marriage at or from a Registrar's office. That is a matter which should be attended to. Certainly, I am in favour of modifying the declaration so as not to tempt persons to go and be married for the sake of cheapness in a Registrar's office, but there are two ways of doing that. Assuming it is right that the clergy should know that the persons they are going to marry have a right to be married by them, it does not at all follow that inquisitorial powers should be given to ask questions of no legal importance whatever. I think the man who drafted this Bill and its schedules must have been thinking of his catechism, for it directs the clergyman to begin with "What is your name?" Then the next is—not "Who gave you this name?" but—"Where do you reside in this parish?" It is not even "Do you reside in this parish?" That has been omitted. Why that omission was made I do not know; but if the thing is to be made homogenous the first question ought to be, "Do you reside in this parish; and if so, where?" I quite agree that if the clergy really are responsible for the residence of the parties, no doubt they ought to have the means of ascertaining it, or, at least, that the responsibility should be thrown on the parties themselves; but this Bill goes far beyond that. They are to ask, "How long have you resided there?" What business is that of the clergy? And it is not necessary because a man cannot get either a licence granted or banns put up without making a false declaration. Then the next question is—"What is your age?" Well, we have just been answering that question all of us for the Census, and I do not know why a lady should be obliged, under penalties for a misdemeanour, to put down a different age to that which she has put down in her Census paper. The Act of George IV., after a great deal of experience had been gained, entirely altered the canon upon that subject: the canon prohibited the clergy from marrying anybody under age; the Act of George IV., for reasons which I cannot investigate now, threw the onus the other way, and left parents to forbid the banns, I suppose because it was recognised that the old law was unsatisfactory. If the father and mother of a person under age choose to forbid the banns they can do so, though what follows in that case I do not know. People know that they can go to the parish clerk, and put down in the book "A. B." and "C. D." as they please, and if the banns are to be made a reality they ought to be made consistent. If you do not desire to frighten the people into the Registrar's offices for the purpose of getting married you ought not to put inquisitorial questions to them, such as "What is your age?" It must be remembered, too, that after a few years the reading of what may be called the Registrar's banns at a meeting of the Guardians of the poor was abolished, and so the Registrar's Office is a far more secret place than the Church, where banns are published before a large congregation. Then the next question is a very queer one to address to people—"Are you a blood relation?" What is that to the clergyman? And it is absurd, because everybody is a blood relation of everybody else. Assuming the clergy to be anxious to carry out the law, it is quite sufficient for them to ascertain that the persons coming to them to be married are not within the prohibited degrees, and I quite agree with the right rev. Prelate that the law ought to prescribe the means of ascertaining that. Curiously enough, there is provision made for it in almost every case except that of banns. When a person goes to the Registrar's office he is warned that if he declares falsely he is liable to a penalty, and if he gets a licence from a surrogate he must swear it. The fact is, all this is an attempt of the clergy to edge in inquiries about matters which they have nothing whatever to do with. Lately, many of us, no doubt, have been reading *Newman's Letters*, and there we find that the clerical attempt to make laws of their own as to whom they should allow to be married was started by Newman nearly 60 years ago, when he refused to marry a couple because one of them had not been baptised! They were poor people, and could not fight the case, and Newman had his way. Another case is recorded in the law books, within quite modern times, of a clergyman refusing to marry a couple because one of them had not been confirmed. Unluckily, the prosecution of the clergyman was defeated by a technicality; but there are sufficient warnings against our allowing any such clerical inquisition. So long as clergymen are acting entirely as the officers of the State in these matters they are within their rights, but the moment they go beyond that and claim to put the inquisitorial questions which the Bill proposes, I am sure that two things will follow; in the first place they will wreck the Bill, and in the next if they do not they will frighten people from the churches into the Registry offices. John Stokes goes to a clergyman and asks to have banns of marriage put up; and he is at once asked, "What is your age?" Naturally he will reply, "Why should I tell you my age?" Then "Are you a blood relation of your intended wife?" He will say, "What is that to you, so long as we are not within the unlawful degrees?" Then he is asked sundry other things, and presently says—"I am not going to be bothered in this way; I shall go to the Registry office and get married there." People have a right to resent inquisitiveness of this kind. Therefore, I say, these are not mere matters of detail which can be dealt with in Committee, but matters of principle. If I wait until the Bill goes to the Grand Committee I shall be told that they are matters which the Grand Committee cannot consider. There are other minor matters to which attention might be called. I do not know whether it is intended to introduce a new, or an American, clerical aggression on the English language for the word "licence," but all through this Bill it is spelled with an "s," and in all my experience the noun has been spelled with "c," and the verb with an "s." I will trouble your Lordships no further at the present stage beyond saying that I shall be most happy to give the right rev. Prelate all the assistance I can in making the Bill a really good one, and in putting it in a form in which it will not be likely to suffer through anything objectionable in the way I have suggested.

Bill read 2^a (according to order), and committed to a Committee of the Whole House on Friday, the 24th instant.

EVIDENCE BILL [H.L.]—(No. 71.)

SECOND READING.

Order of the Day for the Second Reading, read.

The LORD CHANCELLOR: My Lords, this is merely a Consolidation Bill dealing with the law of evidence, and I ask your Lordships to give it a Second Reading.

Bill read 2^a (according to order), and committed to a Committee of the Whole House to-morrow.

TRUSTEE BILL [H.L.]—(No. 72.)

SECOND READING.

Order of the Day for the Second Reading, read.

The LORD CHANCELLOR: This also is a Consolidation Bill dealing with the various statutes relating to Trustees.

Bill read 2^a (according to order), and committed to a Committee of the Whole House to-morrow.

MIDDLESEX REGISTRY BILL.—(No. 87.)

SECOND READING.

Order of the Day for the Second Reading, read.

The LORD CHANCELLOR: This is a Bill which comes from the Commons. It is understood that arrangements have been made for vacancies occurring in the Middlesex Registry. Practically the Bill is to drive into the coffers of the State certain revenue received at the Registry. It has come up from the Commons without Amendment, and the question I have to ask your Lordships is simply whether it should now be read a second time.

Bill read 2^a (according to order), and committed to a Committee of the Whole House to-morrow.

House adjourned at five minutes past Five o'clock, till to-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 16th April, 1891.

PRIVATE BUSINESS.

CENTRAL LONDON RAILWAY BILL

(by Order.)

As amended, considered.

(3.10.) Mr. J. STUART (Shoreditch, Hoxton): I have to apologise for the absence of the hon. Member for North St. Pancras (Mr. T. H. Bolton), who is prevented by illness from being present, and I beg to move the Amendments to this Bill which stand on the Paper in my hon. Friend's name. They all relate to Clause 91, and they refer to the workmen's trains which this company proposes to run by electricity from Shepherd's Bush to the City. The circumstances of the case are referred to in a written statement which was sent out yesterday by the promoters of the Bill in support of the decision of the Committee to which the Bill was referred. As the scheme was introduced, it was at first intended that there should be only one working men's train in the morning and another in the evening, but it was afterwards proposed that there should be two before 7 o'clock in the morning. The Committee have altered that arrangement, and have inserted a clause making statutable the running of three workmen's trains each morning before 7 o'clock, and the same number every evening after 6 o'clock, at a charge of 1d. for each journey, for artisans, mechanics, and dock labourers. I have no objection to offer to the amount of the fare; but I have to propose that the term "daily labourer" shall be altered to "weekly labourer," so that it may include porters, messengers, and persons engaged in similar occupations. I further propose that the hour in the morning shall be extended from 7 to 8 o'clock. People of this class are essentially working men, although they do not commence work as early as 6 or 7 o'clock in the morning. They are messengers and underclerks in the City warehouses, who commence work after 8 o'clock, and book the arrival and sending out of goods. They receive weekly, and not daily, wages, but they are equally necessitous with the persons provided for by the present clause. The first Amendment I have to move is that, instead of only three workmen's trains being run each day, there shall be six. At first sight it may seem that this would be a statutable imposition upon the company, which is not imposed upon any other company, and the company in their statement say that the clause already inserted in the Bill by the Committee goes far beyond any similar obligation imposed upon any other railway by Parliament. I beg to dispute that statement, because the trains which the company propose to provide are very short trains, and are incapable of holding anything like the number of persons who can travel in a train of the Great Eastern Railway. According to Returns now before the House, a workman's train on various London railways is capable of carrying from 500 to 600 passengers, whereas the trains of this company will only carry 120 or 150 third-class passengers at the most. The consequence is, that the carrying obligation imposed on them is nothing like that which is imposed upon other railways. The statement of the promoters says that with the single exception of the Great Eastern trains between Liverpool Street and Edmonton, which cover a distance of nine miles, there is no case in which Parliament has imposed upon a Railway Company the obligation of carrying a third-class passenger for so long a distance as six miles for a penny. That is scarcely accurate, because I believe that on the South London lines statutory obligations exist which cover more than six miles. It is said that in compelling the company to run six trains instead of three, we should impose obligations upon the company for which they would have no compensating advantage; but I wish to point out that the company are paying to the inhabitants of London, either individually or collectively, nothing whatever for the tunnelling rights they are to enjoy. I am aware that the clause has been struck out which permitted them to tunnel without paying compensation, but the question of compensation is left to be raised by individual owners under the clauses of the Lands Clauses Consolidation Act. That Act will be wholly inoperative because, as the tunnelling will be under Oxford Street, there can be no documents in existence, seeing that it is one of the oldest streets in England, or probably in the world, which confer upon individuals the ownership of the soil. The result is, that that clause will confer no advantage upon the public either individually or collectively. It is said that the company will have to pay rates, but all other railways are in the same position. Mr. Pearson, the City Solicitor, was the first person to propose an underground railway in London—the Metropolitan—and it was distinctly urged as an inducement in favour of legislation that the public were to get the benefit of the street improvements, which were to be associated with the construction of the railway as a compensation for the use of the soil. About £250,000 was, I believe, paid for the right of tunnelling under the Thames Embankment.

*Mr. ISAACS (Newington, Walworth): £200,000.

Mr. J. STUART: I am obliged for the correction of the hon. Member. The present railway is absolved from any such contribution to the public benefit, although other railways have had to pay it. On these grounds I think the company are fairly called upon to give more extended advantages to the public than have been decided by the Select Committee, and I beg to move the first of the Amendments which stand in the name of my hon. Friend.

Amendment proposed, in page 72, line 25, to leave out the word "three," in order to insert the word "six."—(*Mr. James Stuart.*)

Question proposed, "That the word 'three' stand part of the Bill."

(3.20.) Mr. HOWELL (Bethnal Green, N.E.): I beg to second the Amendment, which I look upon as a very reasonable extension. I am sorry that the Committee upstairs have seen fit to draw a distinction between working men who are paid by daily and by weekly wages. A great number of the clerks, messengers, and others in London who are paid weekly are in the same position as the artisans and labourers who work for a daily wage, but it would be impossible for them to take advantage of trains which run before 7 o'clock in the morning. Many of the warehouses and offices in the City are not open until 10, and every facility for cheap travelling should be afforded to these men, whose wages, or salaries as they are sometimes called, are scarcely equal to those of an artisan. If they are required to go to the City by a very early train, the only result will be that they will reach there before the offices or warehouses are open. I therefore think that the number of trains should be extended, and that they should run at a later hour.

(3.22.) Mr. BARRAN (York, W.R., Otley): I am sorry that the hon. Member for Preston (Mr. Hanbury), who acted as Chairman of the Select Committee, is not here to explain the circumstances under which the Committee decided to grant these workmen's trains. The Committee had the advice of Mr. Courtenay Boyle, who has had large experience in connection with the Metropolitan Railways, and it was at his suggestion that the Committee imposed on the company the necessity of running three trains every morning and every night. The hon. Member for Hoxton (Mr. Stuart) has stated that the trains on this line will be limited in their carrying power in consequence of the line being worked by electricity; but if that argument is to weigh at all, it must necessarily tell in favour of the company in the consideration of this Amendment, because if they are only able to carry a very small number of passengers, seeing the enormous expense they will be put to in making the line, it will be much more difficult for them to realise a profit in consequence of their limited carrying power. The Committee, in dealing with the Bill, had to consider the enormous cost the company will be put to in carrying out their project. Even if they get the land without cost, and have no compensation to pay, the cost of constructing the line will be enormously heavy. So far as the granting of workmen's trains is concerned, this company has agreed to grant more than any existing Railway Company. There can be no doubt that the construction of the railway will materially reduce the congestion of traffic in Oxford Street and the City; but if we are to load the company with obligations and restrictions which are unbearable, the probability is, that the line will never be made at all. I hope the House will support the decision of the Select Committee.

*(3.25.) Mr. ISAACS: I wish to explain what was done in the case of the District Railway with reference to contributions from public sources. A sum of £200,000 was paid by the company for the right to tunnel under the Embankment, while in the case of the City lines a grant of £800,000 was made to the company by the public. It is easy to get the reputation of being a friend of the working classes by dipping your hand into other people's pockets. That is what the hon. Gentleman proposes in effect to do. The obligation to send three workmen's trains each way per day over the line is as much as the company can be reasonably expected to undertake. It must not be forgotten that the trains which will travel one way full will invariably

return empty. I hope the House will support the Committee, especially after what has been said by the hon. Gentleman opposite, who was one of the Members of that Committee.

(3.30.) MR. GILES (Southampton): Assuming that each train has to run six miles for fares of 1d., a full load of 500 passengers would only bring in a little over £2, while the cost of running the train would be quite as great, without any other expense whatever. I think that if the working classes of London get the privilege of three trains in the morning and three at night they will get all that they can reasonably expect from the company. I hope, therefore, that the House will reject the proposal to increase the number of trains.

(3.32.) MR. GANE (Leeds, E.): I think that before the House adds to what is already an extraordinary burden some good reason should be shown. I have every sympathy with the motive of the hon. Member, but I hope the House will not accept the proposal. If the Committee upstairs, in considering the matter, had fallen short of the real requirements of the working classes the House might be fairly asked to interpose, but I believe that what they have done is really in excess of anything that has been previously done. If the House is to compel the company to run six workmen's trains daily, I see no reason why they should not make it 20 or 50.

(3.35.) MR. COURTNEY (Cornwall, Bodmin): I do not propose to enter into the details of this Bill, but I would only suggest that it is impossible for the House with any self-respect to come to a decision in this matter which is at variance with the decision of the Committee. The question has been carefully considered by the Committee with all the evidence before them, and with the assistance of an eminent and experienced official of the Board of Trade. Why, then, should we depart from the decision of the Committee merely upon a statement that cannot be submitted to cross-examination? I hope the House will reject the Amendment.

Question put, and agreed to.

MR. J. STUART: I now move, in line 28, to leave out "seven" and insert "eight." The object of the Amendment is to change, from 7 to 8, the hour at which working men's trains shall run. I believe that this change would be for the convenience of the workpeople who are not required at their places of business before 8 o'clock. There are a very large number of persons who are in this position, and whose wages do not exceed those of the daily labourer and the artisan. My only desire is to make the clause useful to all these persons. It is desirable for the health and comfort of London that persons of this class should live in the suburbs, and a provision of this kind will assist them in doing so.

Amendment proposed, in page 72, line 28, to leave out the word "seven," in order to insert the word "eight."—(*Mr. James Stuart.*)

Question proposed, "That the word 'seven' stand part of the Bill."

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I agree with the right hon. Gentleman (Mr. Courtney) that the Bill has been fully inquired into by a Select Committee, and I trust in the interest and safety of the public that the House will not make this alteration.

(3.37.) MR. BARRAN: I hope the House will not attempt to alter the hour, which is the same as that which is fixed in other Acts of Parliament. Not a word was said before the Committee as to the injustice or otherwise of the proposal. The Committee were anxious to meet, as far as possible, the necessities of the working classes; but if we are to extend the advantages already conceded to other classes, where are we to draw the line? How far and how often are we to enable general passengers to travel on a railway at little cost to themselves, but at very great cost to the Railway Company? There can be very little question that the Railway Company can make only a small profit out of trains of this kind, and in all probability they will sustain a loss. If we are to offer the privileges of the *bonâ fide* working man to other classes, I am afraid that Parliament will be taking upon itself a task which may entail very great responsibilities upon railways in future.

(3.39.) Mr. O. V. MORGAN (Battersea): The question is one which appears not to have been considered by the Committee. I believe that if they had considered it they would have substituted 8 for 7 o'clock, and I fail to see that such an alteration would entail any additional expense upon the company. I am quite satisfied, however, that it would be an immense boon to the persons who will make use of this railway.

(3.40.) Mr. HOWELL: I wish to point out that the persons in whose favour this concession is asked are as much *bonâ fide* working men as the man who carries a hod, the only difference being that they go to their work at a later hour, not for their own convenience, but for the convenience of their employers. It is of no use running trains at 6 or 7 o'clock in the morning if they do not embrace the class of working men who are to have the benefit of the Act. I cannot see how it would be an imposition upon the Railway Company, because the more trains they run the more likely they will be to recoup themselves for the expense. It is by keeping the line idle that they will lose. It is not the fact that these trains are full one way only. Many of them return fully loaded, and it must be borne in mind that many of the working classes who live in the West are employed in the East, as well as those who live in the East being employed in the West. I certainly believe that it will be of great advantage to the *bonâ fide* working man to extend this privilege to 8 o'clock in the morning.

(3.43.) Mr. ADDISON (Ashton-under-Lyne): I feel bound to protest against the introduction of Amendments of this kind after a Private Bill has been fully considered by a Select Committee. It is impossible that we could give a conscientious vote upon such questions, because we have no knowledge upon the subject, and we are not cognisant of the evidence which induced the Committee to arrive at their decision. How can we possibly know what the traffic is likely to be, how it is to be obtained, and the different places that are proposed to be accommodated? If we are to undertake to deal with questions of this kind I am afraid we shall impose on ourselves a hopeless and impossible task. I certainly protest against the notion that when the details of a Private Bill have been carefully settled by a Select Committee we are to interfere and upset their decision.

(4.45.) Dr. CLARK (Caithness): The hon. Member who has just sat down is probably not aware that this matter did not come before the Committee at all. [*Cries of* "Why not?"] I regard it as a matter of public importance, largely affecting the working classes of London—not only their comfort, but their sanitary condition. The porters and warehousemen who would use the trains at 8 o'clock are *bonâ fide* working men, and receive smaller wages than artisans. It is for that class of men, who are very badly paid and who can only afford to live in the suburbs, that this concession is asked. I think their case deserves full consideration at our hands.

Question put, "That 'seven' stand part of the Clause."

The House divided:—Ayes 148; Noes 68.—(Div. List, No. 134.)

(4.55.) Mr. J. STUART: As the other Amendments which stand in the name of the hon. Member for North St. Pancras are consequent on that which has just been disposed of, I shall not press them.

Bill ordered to be read a third time.

STILL-BIRTH INTERMENTS.

Address for—

"Return showing (1) the number of still-births interred during the year 1890 in each of the Burial Board Cemeteries in England and Wales enumerated in the Local Government Manual for 1891; (2) the number of such still-births interred in each such Cemetery without a certificate of a registered medical practitioner; (3) the total number of interments other than of still-births; (4) the aggregate number of interments in the said Burial Board Cemeteries under each of the preceding sub-heads; and (5) the total number of deaths registered in England and Wales during the year 1890."—(*Dr. Cameron.*)

SWINE FEVER.

Return ordered—

"Showing the number of outbreaks of Swine Fever in each county in Great Britain in each of the last three years, the number of diseased and healthy animals slaughtered, and the sums returned as paid for compensation, after deducting any receipts for salvage, in the following form:—

County (including Boroughs).	Number of Outbreaks reported.	Number of Swine slaughtered.		Net compensation paid—		Total net compensation.
		Diseased.	Healthy, but on infected premises.	For diseased animals.	For healthy animals.	
				£ s. d.	£ s. d.	£ s. d.
1888						
1889						
1890						

With totals for Great Britain in each of the three years."—(*Mr. Fellowes.*)

QUESTIONS.

IRISH CHURCH ACT—PURCHASES.

MR. LEA (Londonderry, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how many of the 2,591 purchasers under the Irish Church Act, who are said to have derived benefit under Section 25 of the Land Act of 1887, were permitted to extend their period of repayment to 49 years under that Act; and how many of the 787 purchasers under the Act of 1870, and the 726 purchasers under the Act of 1881, were allowed to extend their repayment to 49 years under Section 27 of the Act of 1887?

*THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Irish Land Commissioners report that of the 2,591 purchasers under the Irish Church Act who received the benefit of the Acts of 1885 and 1887, 2,263 obtained the full term of 49 years. The Board of Works report that in the case of the 787 purchasers under the Acts of 1870 and 1872 who received the benefit of Section 24 of the Act of 1887, the effect was to extend the period of repayment from 35 years to periods varying from 40½ to 47½ years. In the case of the 726 purchasers under the Act of 1881 who received the benefit of Section 27 of the Act of 1887, the effect was to extend the period of repayment from 35 years to about 45 years in each case.

IRISH FISHERIES.

MR. MACARTNEY (Antrim, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it was by order of the Inspectors of Fisheries that a document, headed "Notice to Millowners," "Turbines," signed "(By Order), M. P. Dowling, Secretary," and "dated at the Fisheries' Office, Dublin Castle, the 14th day of April, 1890," was served on Mr. C. J. Webb, of Randalstown, on the 18th of February, 1891; and, if not, by whose order; is he aware that at the date of this notice, or thereabouts (namely, April, 1890), proceedings were taken against other millowners under Acts of 5 & 6 Vic. and 26 & 27 Vic., and whether the local Board of Conservators instituted these proceedings of their own accord, and whether the Inspectors of Fisheries approved of them; will he explain why no inspection has been made, as promised to Mr. Webb on the 6th March; is he aware that, on or about the 20th March, Mr. Webb was served with two further summonses; whether any inspection had been made subsequent to his letter of the 2nd March and previous to the service of these summonses; whether, since the passing of 32 & 33 Vic. cap. 9, any similar prosecutions have been undertaken; whether any of the defendants in the recent prosecutions have been summoned for similar offences previous to the year 1890; whether the Inspectors of Fisheries have had any expert evidence as to the injury supposed to be caused by the hydraulic machines at these mills; and, if so, who were the expert witnesses; whether he is aware that, for over 20 years, no similar requirements have been demanded by the Inspectors of Fisheries; and whether he will ask the local Board of Conservators and the Inspectors of Fisheries to furnish the evidence upon which they have taken these proceedings, and their reasons for doing so?

*Mr. A. J. BALFOUR: The Inspectors of Irish Fisheries report that the notice referred to was sent by them to the clerks of the Letterkenny and Coleraine districts for distribution, as the occasion arose, among millowners, in order to warn them of the provisions of the law regarding turbines, in regard to which the Inspectors have no power under the statute to grant exemptions. Before the date of this notice the Inspectors learned incidentally that prosecutions of this nature had taken place in certain cases then under consideration, and they pointed out to the Conservators that they thought it would have been better to have awaited the Inspectors' final decision. The Inspectors made no inspection of Mr. Webb's premises for the reasons (*a*) that Mr. Webb did not furnish, as he promised, the grounds of his application for exemption; and (*b*) that the Inspector had only returned from the district immediately previous to the application, and has since been engaged on other duties. The Inspectors are not aware that Mr. Webb has been since served with summonses. On the 16th of March they wrote to the Local Board that an Inspection in the case would be made as soon as possible. The Inspectors report that prosecutions have been instituted since the passing of the 32 & 33 Vic., c. 92. The Inspectors have no information as to paragraph 7, as such prosecutions are instituted by the Local Boards. The Inspectors have not had evidence as to injury by hydraulic machines, &c. They themselves inspect mill premises, and hear anything the millowners or the local officers of the Conservators have to say in those cases where they have power to grant exemptions. The Inspectors state that the circumstances mentioned in the ninth paragraph, assuming it to be a fact, would not alter the law in the matter. Millowners have the opportunity of applying to them for exemption from compliance with Section 76 of 5 & 6 Vic., c. 106, which exemption would be granted if any injury were likely to arise to the working power of mills by the erection of gratings; but from the necessity of erecting sufficient means to prevent the passage of salmon, or any young of salmon, into turbines, the Inspectors have no power to exempt. Prosecutions are undertaken not by Inspectors, or at their instance, but by the Conservators.

DONAGHADEE HARBOUR.

Mr. M'CARTAN (Down, S.): I beg to ask the Secretary to the Treasury whether any progress has yet been made in removing the silting from Donaghadee Harbour; and, if not, whether he can say when the work is likely to be commenced?

The SECRETARY to the TREASURY (Mr. Jackson, Leeds, N.): No progress has been made in removing the silting from Donaghadee Harbour. A demand was made locally, but the authorities are unwilling to sanction the commencement of new works at present.

PIER AT HOLYWOOD.

Mr. M'CARTAN: I beg to ask the President of the Board of Trade whether he can state about what date the plans of the proposed new pier at Holywood, County Down, will be exhibited for inspection at the Harbour Office, Belfast; and whether he will consider the desirability of having a copy of the plans left at some public place in Holywood before the Board of Trade approves of the same?

*The PRESIDENT of the BOARD of TRADE (Sir M. Hicks Beach, Bristol, W.): I would refer the hon. Member to the reply I made to him on the 17th February last year, when I said that, whenever plans of new works at Holywood are submitted to the Board of Trade for approval, the Belfast

Harbour Commissioners will be consulted, and notice of the application for approval will be given in the locality. No application has, as yet, been received, and I am unable to say when the persons interested will apply.

THE KANTURK UNION, CORK.

MR. FLYN (Cork, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that in April, 1890, the labourers who occupy cottages under the Guardians of the Kanturk Union (County Cork) presented a Memorial praying the Guardians to reduce the rent of these cottages, which Memorial was largely signed by the ratepayers of the Union; and that in May, 1890, the Board of Guardians at a general meeting passed a resolution making a general reduction of 3d. per week in the rent of the cottages; and did the Local Government Board refuse to sanction this resolution of the Guardians; if so, for what reasons and under what authority has the Local Government Board acted in overrûling the action of the Guardians?

*MR. A. J. BALFOUR: Yes; it appears to be the fact that the Guardians of Kanturk Union passed a resolution to the effect mentioned, but subject to the sanction of the Local Government Board. The Board having been thus asked to approve the Guardians proposal, and it appearing that the rents already charged in the Union were less than the rents at which such cottages are usually let, the Board informed the Guardians that they could not see any reason which would justify them in further reducing the rents and thereby increasing the tax upon the ratepayers in respect of these cottages. The effect of the reduction would have been to throw a charge of £2 13s. 2d. for each house, per year, upon the ratepayers until the loan is repaid, without taking into account the costs of repairs, insurance, and other existing expenses.

ARMY CHAPLAINS.

MR. MAC NEILL (Donegal, S.): I beg to ask the Attorney General for Ireland whether he is aware that the General Protestant Synod in Ireland has unanimously passed a resolution claiming that the Irish Protestant clergy should have equal privileges with the Irish Roman

Catholic clergy in holding the appointment of chaplains to Her Majesty's forces in Ireland; and whether the Government will take any steps to give effect to that resolution?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The question should be addressed to the Secretary of State for War.

In reply to a further question by Mr. MAC NEILL,

MR. MADDEN said: It is the fact that more than three years ago, as Member for the University of Dublin, I entered into a correspondence with the Chaplain General on this subject. The question refers now to the action of the Government in the matter, and as I have not the honour of being Secretary of State I cannot give any official information. The question should be addressed tom right hon. Friend.

POST OFFICE TELEGRAPHISTS.

MR. LENG (Dundee): I beg to ask the Postmaster General if he can explain the remarkable disproportions between the numbers of first and second-class telegraphists at different postal telegraph offices in the United Kingdom, and whether there is any principle regulating the maximum salaries; and particularly why Bradford has 21 first-class to 46 second-class, Plymouth 24 and Sheffield 23 to 46, and Cork 22 to 43, while Dundee has only 12 to 43; why the maximum salary is only 50s. at Dundee, while it is 52s. at Nottingham, and 54s. at Sheffield; and why, in Dundee, there are 10 first-class to 24 second-class clerks in the postal department, and some men of only six years' service have been promoted in that department, while there are efficient and well-conducted telegraphists, who have been 14 years in the service, still in the second-class of the telegraph department?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The number of first-class telegraphists at an office is regulated by the number of first-class duties to be performed at that office. The maximum salaries are regulated by the importance and position of each office, and the cost of living in the different towns. The hon. Member gives certain figures showing the numbers of the classes at five towns. The reason why the numbers were so fixed at the last revision was because the figures represented the number of duties at that date. A continual process of adjustment is necessary as business develops, and several of these towns will come under review. Nottingham and Sheffield are much more important offices than Dundee, and this is the reason why the *maxima* are greater there. I am advised that the duties on the postal side at Dundee require the higher appointments, and that the vacancies occurred on the postal side.

SOLDIERS' UNCLAIMED PRIZE MONEY.

MR. LENG: I beg to ask the Secretary of State for War whether he can now state if it has been decided to appropriate the interest of the large sum of soldiers' unclaimed prize money for the relief of sick and infirm but unpensioned veterans who served in the Crimean War?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The number of troops in the Crimea before the close of the war (excluding large numbers wounded and invalided) was 52,000. A large proportion of these had enlisted for only three years' service, and returned to civil life upwards of 30 years ago. If the claims of all men who served in the Crimea and are now infirm were recognised by the State—and it would be difficult to draw any distinctions—the charge would be an exceedingly heavy one, and would amount in one year to more than the whole amount of Army prize money. It would, moreover, be impossible to exclude men who served in the Indian Mutiny. Consequently, I do not at present see my way clear to a scheme for specially pensioning Crimean soldiers.

MURDER OF A BRITISH SUBJECT IN VENEZUELA.

MR. WEBSTER (St. Pancras, E.): I beg to ask the Under Secretary of State for Foreign Affairs if it is a fact that a British subject has been recently murdered by Venezuelan officials?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Information has reached Her Majesty's Government that a British subject named William Campbell had died from a gunshot wound inflicted by a Venezuelan policeman on the Venezuelan side of the Amakooroo River. The Venezuelan Government have telegraphed to state that the President of the Republic has ordered an inquiry into the circumstances, with a view to the exemplary punishment of any persons who may be found guilty of wilful violence. The evidence taken by the British Colonial Authorities on the subject of the incident has only recently been received, and is under the consideration of Her Majesty's Government.

MANIPUR.

MR. WEBSTER: I beg to ask the Under Secretary of State for Foreign Affairs whether he is in a position to give any information as to the alleged statement that the troops employed in the Manipur expedition were at the time of the recent disaster without an adequate or suitable supply of reserve ammunition to fit their rifles?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): Perhaps the hon. Gentleman will allow me to answer this question. The Secretary of State has no information as to the truth or otherwise of these statements.

MR. WEBSTER: I beg to give notice that I will call attention to the subject on the Army Estimates.

FOREST REGULATIONS.

MR. MAC NEILL: I beg to ask the Under Secretary of State for India whether the inquiry forwarded to the Government of Bombay in August last respecting the Forest Regulations in the districts of Colaba and Thana has yet been answered; and whether he will grant, as an Unopposed Return, a Copy of the new Regulations which have been issued for the districts named?

*SIR J. GORST: No, Sir; the answer has not yet been received. The matter was under discussion in Bombay last month. As soon as the Report is received the Secretary of State will consider what Papers can be laid upon the Table.

RIOTS AMONG BENGAL INDIGO CULTIVATORS.

MR. MAC NEILL: I beg to ask the Under Secretary of State for India whether the inquiry into the alleged riots among the indigo cultivators in Bengal, promised in April 1890, has been made; and, if so, whether he will lay the result of such inquiry, with all Papers, if any, upon the Table; and whether a Report from the Government of India, as to the circumstances in, and conditions under which indigo is cultivated, has been received; and, if so, whether he will lay it upon the Table?

*SIR J. GORST: Yes, Sir; the Papers in this case were presented last month. I understand that they are now being printed, and will be shortly circulated.

THE PERMANENT LAND SETTLEMENT PROPOSALS OF 1862.

MR. MAC NEIL: I beg to ask the Under Secretary of State for India, with regard to the fact that, under the Court Fees Act in the North-West Provinces, the valuation of land in permanently settled districts is fixed at ten times the annual rental, whereas in districts not permanently settled the valuation is only five times the annual rental; whether, in view of this official testimony, and the greater value of permanently settled land, and in view also of the conditions laid lown in the correspondence on the subject, the Secretary of State will redeem the pledge given in 1862, and proceed to permanently settle the land still held on a 30 years' settlement in Madras, Bombay, parts of Bengal, the North-West Provinces, the Punjab, and the Central Provinces; and whether he will state why there has been so great a delay in carrying out the arrangements decided upon nearly 30 years ago?

*SIR J. GORST: I think the hon. Member has fallen into a little error. There is no delay to explain. The proposals made in 1862 were re-considered, in accordance with the recommendation of the Select Committee of 1871, and a final order, formally abandoning them, was issued in 1883.

MR. MAC NEILL: Is the right hon. Gentleman aware that a resolution was passed urging on the Government the extension of the permanent land system?

*SIR J. GORST: The proposals of 1862 were finally abandoned some years ago, and the resolution referred to by the hon. Member is an entirely new matter.

DISCONTENT IN THE MADRAS REGISTRATION DEPARTMENT.

MR. MAC NEILL: I beg to ask the Under Secretary of State for India whether the attention of the Secretary of State has been drawn to the serious discontent prevailing among the registering officers, chiefly among the sub-Registrars, and among their clerks, of the Registration Department of the Madras Presidency, due to the reduced scale of remuneration sanctioned by the Madras Government in 1882 and 1885, respectively; (2) whether the Secretary of State is aware of the large amount of surplus that is being accumulated and absorbed into the general revenues from the registration fees, intended, originally, an intention recently re-affirmed by the Government of India, for the sole maintenance of the Department and the pensionary charges of its officers, and not as a source of profit to Government; (3) whether the Secretary of State is aware that the Government of India have, in their review of the Triennial Reports for the period ending 1889–90 of the several Local Governments and Administrations on the working of the Administration Department, expressed their opinion condemning the large surplus that has been accumulated year by year from registration fees, and have, accordingly, directed Local Authorities to take steps to reduce the surplus; and (4) whether he will take the present opportunity to press upon the Madras Government the urgent necessity that has arisen to sanction increased expenditure in order to allay the discontent of a Department composed of Indians by a re-organisation of the grades of sub-Registrars and Registrars, and of their clerks?

*SIR J. GORST: The answer to the first paragraph of the question of the hon. Member is in the negative. The answer to the second and third paragraphs is that the view taken by the Government of India as to the surplus is that it shall be devoted to providing facilities for registration wherever experience shows them to be necessary. This policy was re-affirmed in the review of the Triennial Reports referred to by the hon. Member. The answer to the fourth paragraph of the question is that the Secretary of State, as at present advised, would not urge the Government of India to raise the salaries or increase expenditure in the Registration or any other Department.

ABDUL RASOUL.

Mr. CONYBEARE (Cornwall, Camborne): I beg to ask the Under Secretary of State for India whether he has yet received the information from the Authorities in India respecting the case of Sheikh Abdul Rasoul, promised on 16th February; (2) if so, on what date was such information received, and what is its purport; if not, will he explain the delay which has taken place in the obtaining of this information; (3) whether he can now state what number of Her Majesty's Indian subjects have been imprisoned under the provisions of Regulation III. of 1818, or deprived of their property since that date to the present time; (4) whether he is aware that Regulation III. of 1818, to which he recently referred, applies only to Bengal, and not to Bombay; (5) would he state to the House what were the reasons of State, and upon what facts or evidence they were based, which necessitated the detention of Abdul Rasoul for nine months in gaol without trial; and (6) whether the Government still refuse to make any compensation to Abdul Rasoul for the treatment he has received? As the Under Secretary for India is in his place, perhaps he will answer the question.

*Sir J. GORST: No information was promised on the 16th of February. It was then stated that—

> "The communications addressed by the Sheikh to the Secretary of State have been forwarded to India, and the Secretary of State will await a reply from the Government of India before taking any action thereon."

(2) The Government of India on the 18th of February stated that Abdul Rasoul, on release from confinement, had applied to be sent to Cashmere, and, failing that, to England. On receiving this information the Secretary of State offered Abdul Rasoul the terms which have been already explained to the House. (3) As already stated, the Secretary of State must decline in the public interest to give this information. (4) The provisions of Regulation III. of 1818, which applied to the Bengal Presidency, were re-enacted in almost identical terms in Regulation XXV. of 1827, which applied to the Bombay Presidency, and is still in force. (5) The Secretary of State has reason to believe that the Government of India were satisfied that Abdul Rasoul was employed as an emissary of Maharajah Dhuleep Singh, who, the House will remember, was at that time issuing treasonable Proclamations against the Queen. On the Maharajah receiving Her Majesty's pardon, Abdul Rasoul applied for his own release, which was granted. (6) The Government has not refused to make compensation to Abdul Rasoul; but, as already stated more than once, Abdul Rasoul, if he demands compensation, must address himself to the Government of India in the first instance.

Mr. CONYBEARE: I have had cause to trouble the right hon. Gentleman so frequently without obtaining a satisfactory assurance from him that I shall ask leave to move the adjournment of the House in order to raise the question.

THE BLACK MOUNTAIN EXPEDITION.

Mr. PHILIPPS (Lanark, Mid): I beg to ask the Under Secretary of State for India whether it is the case, as has been stated in the newspapers, that some of the reserve forces of the Black Mountain Expedition have been ordered to the front; and, if so, whether he is in a position to inform the House what regiments have been thus moved forward?

*Sir J. GORST: The Reserve Forces of the Black Mountain Expedition have been ordered up not to the front in that direction, but to Kohat for the Miranzai Expedition. The full detail of the forces ordered up has not been received from India; but the following are either there or on the way:—3rd British Mountain Battery, 1st Battalion King's Royal Rifles, 19th Bengal Cavalry, 1st Punjab Infantry, 6th Punjab Infantry, 1st Battalion 5th Goorkhas, 15th Sikhs, and 29th Punjab Infantry.

SCHOOL BOARD STANDARDS.

Mr. ELLIOTT LEES (Oldham): I beg to ask the Vice President of the Committee of Council on Education whether he can give the House any information as to the percentage of passes in the School Board Standards obtained by children attending school under the half-time system, between the ages of

10 and 12, as compared with those obtained by other children of the same age?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): A comparison in the Oldham and Rochdale district for 1890 shows that the general percentage of passes was 90, against 77·4 in the case of half timers. In seven Board Schools in Rochdale the difference was 9·5 per cent. against the half timers, and in 10 Board Schools in Oldham 6·7 per cent. In Blackburn, during the year 1888, the difference against the half timers was 12 per cent., and in Darwen 11·5 per cent. I should add that this difference occurs principally in arithmetic and writing (including spelling), and that the results in reading, which offers more scope for the display of general intelligence, are much more even.

MR. MUNDELLA (Sheffield, Brightside): Do the figures include the whole of the half-timers?

*SIR W. HART DYKE: Yes, Sir; I believe they do.

SHEERNESS DOCKYARD.

MR. HERBERT KNATCHBULL-HUGESSEN (Kent, Faversham): I beg to ask the First Lord of the Admiralty whether there are men at Sheerness Dockyard, on the books as smiths, who are really doing fitters' work; and, if so, whether they should be classed as fitters; and whether arrangements can be entered into for the forgings of engines which are fitted at Sheerness being made in that Dockyard, instead of, as at present, in private yards?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The answer to the first part of the question is in the affirmative. It is not considered desirable to class them as fitters, as they are, as a rule, smiths by trade, and have been intermittently employed during the last two years upon smiths and fitting work, and are shifted from one class of work to the other to meet the requirements of the Service. The only forgings obtained by contract for engines made at Sheerness are propeller and crank shafts, connecting rods, and slide rods, and it is not considered desirable as a rule to depart from this arrangement unless the smithery should be in want of work. In that case the connecting rods and slide rods might be made in the yard.

MR. HOWELL (Bethnal Green, N.E.): Is there any difference in the pay of one class and the other?

*LORD G. HAMILTON: When these men are employed on the same class of work they receive the same pay.

THE FACTORIES AND WORKSHOPS BILL.

MR. SUMMERS (Huddersfield): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the passage in the last Report of the Committee of Council on Education in which they express regret to find, on examining the School Returns, that the education of so many children of 10 years of age and upwards is discontinued as soon as, by passing the prescribed standard, they are freed from the obligation to attend school and become entitled to go to work; and whether he will take the facts cited in the Report into consideration in connection with any proposals that may be made to amend the Factories and Workshops Bill?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): My attention has been called to the passage in question. The hon. Member is doubtless aware that the effect of the Factories Act is that children between 10 and 13, if they are employed in a factory, are obliged to continue half-time attendance at school; whereas outside a factory a child of 10, as soon as he has passed the prescribed standard, is free from the obligation to attend school, and may enter upon full-time employment. The raising of the age at which a child can be employed in a factory from 10 to 12 will have the effect (in factory districts) of increasing the number of cases deplored by the Committee of Council, because every child between 10 and 12 who can pass the prescribed standards will betake himself to other employment; whereas if those children were employed in a factory between 10 and 12 they would probably continue that employment, and also their attendance at school, up to 13.

SECOND-CLASS SORTERS.

Mr. JAMES ROWLANDS (Finsbury, E.): I beg to ask the Postmaster General whether he has received a Memorial from the second-class sorters of the circulation department; and, if so, whether he has been able to give it his consideration, and can inform the Memorialists of his decision at an early date?

*Mr. RAIKES: In reply to the hon. Member, I have to state that the answer to the Memorial referred to was sent yesterday (Wednesday).

TRADE UNIONS REPORT, 1889.

Mr. HOWELL: I beg to ask the President of the Board of Trade whether he is aware that the Report on Trade Unions for 1889, by the Labour Correspondent to the Board of Trade, is not yet issued; whether he can give some explanation of this exceedingly long delay in issuing such Report; and whether he can inform the House when the Report will be ready for the use of Members?

*Sir M. HICKS BEACH: Delay was caused in giving the Report for 1889 in order to fulfil a promise made to Mr. Bradlaugh to include Returns from the great majority, if not the whole, of the Trades Unions in the United Kingdom, instead of the limited number dealt with in previous Reports. This has involved great labour, which falls peculiarly on Mr. Burnett, as much of it cannot be delegated. The delay having been so great, it is believed that it will be most convenient not to issue the Returns until the figures for 1890 can be included. The next issue will accordingly take place towards the end of the present year, and it will be a much more complete Return than any yet made. It will also include the figures for 1890 as well as 1889.

Mr. HOWELL: Is it not possible to obtain the Returns earlier? Most of them are published in the month of May. Is it not possible for Members to have them in their hands before the Votes are taken?

*Sir M. HICKS BEACH: I will try what I can do to have them published earlier.

Mr. HOWELL: I beg to ask the Secretary to the Treasury whether it is possible for the Registrar of Friendly Societies to give the whole particulars of the Returns made by registered Trade Unions in his Annual Report; and, if not, will he explain for what reason?

Mr. JACKSON: The answer just given by my right hon. Friend seems to dispose of the question which the hon. Member has addressed to me; but if he wishes further information I shall be glad if he will speak to me, and I will suggest what I consider the best course for dealing with the question.

Mr. HOWELL: The question is not exactly the same as that which I put to the President of the Board of Trade. I ask whether, when a certain form is filled up by the Registrar of Friendly Societies as to Returns of registered Trade Unions, it could not be included in the Annual Report?

Mr. JACKSON: My desire is to avoid giving portions of the Returns by one Department and other portions by another Department. My object in suggesting that the hon. Member should speak to me is to try and find out whether some plan may not be decided upon by which we can improve the Returns.

THE CHARGES AGAINST MEMBERS OF PARLIAMENT.

Mr. MORTON (Peterborough): I beg to ask the Secretary of State for the Home Department whether it is true that warrants have been issued against two Members of this House for criminal offences; and whether it is also true that both Members have left this country, and are now out of the jurisdiction of our Law Courts?

Mr. MATTHEWS: The answer to the first paragraph is in the affirmative. So far as my information goes, both Members are now out of the jurisdiction. I am permitted to read a telegram addressed by the hon. Member for North Bucks (Captain Verney) from Paris to Mr. Speaker in these terms—

> "Seeing a question is to be asked about me in the House, it is my duty to inform you that as soon as I heard in Italy that a warrant had been issued for my arrest, I started at once and expect to reach London to-morrow.—Verney."

Mr. MORTON: Arising out of the answer of the right hon. Gentleman, may I ask whether, if an application is made for the Chiltern Hundreds by either of the two hon. Members, the Government will undertake not to grant it?

*Mr. SPEAKER: Order, order! The hon. Member must give notice of that question.

BERMUDA DOCKYARD.

Mr. BROADHURST (Nottingham, W.): I beg to ask the First Lord of the Admiralty whether he is aware that a shipwright has recently been placed in charge of the engines and machinery in the Bermuda Dockyard, and that the Inspector of Machinery at Bermuda recommended that an engineer should be appointed to the post; and, if so, whether he will cause an inquiry to be made into the circumstances which led to the appointment of a person who can have but little practical knowledge of the duties involved?

*Lord G. HAMILTON: It is not the case, as suggested by the hon. Member, that a shipwright has been placed in charge of the engines and machinery in Bermuda Dockyard. An established shipwright who has been employed continuously at Bermuda since 1878, and is now employed on electrical and other fitting work, will be appointed fitter to perform shipfitting work on docks and caissons and also electrical work as required.

BRITISH SOUTH AFRICA COMPANY.

Mr. LABOUCHERE (Northampton) postponed until Monday a question—To ask the Under Secretary of State for the Colonies whether he is aware that a Chartered Company is not under the obligation to make Returns to Somerset House in regard to the Act of its shareholders and other matters connected with it, which are obligatory on all Limited Liability Companies not being Chartered Companies; whether, in view of this fact, and that by the 25th Article of the Charter of the South Africa Company it is stated that—

> "Within one year after the date of this Our Charter, or such extended period as may be certified by Our Secretary of State, there shall be executed by the Members of the Company for the time being a Deed of Settlement providing, so far as is necessary for,"

amongst other things,

> "the regulation of Members of the Company, and the transfer of shares in the capital of the Company; the division and distribution of profits,"

he will cause such a Deed of Settlement to be executed, and lay it, when executed, upon the Table of the House, in order that the public may have the same opportunity to know matters in connection with the transfer of shares in this Company, and with the division and distribution of profits which are available in respect to companies that are not chartered; and whether, in connection with this Return, he will see that it is fully set forth, and that, whilst the Company has to pay all costs and expenditure in regard to carrying out the objects of the concession from Lobengula, one-half of the profits (if any) are retained by the Promoters of the Company, should it appear that this is the case?

Mr. LABOUCHERE also postponed until Monday a question—To ask the Under Secretary of State for the Colonies whether an Imperial Proclamation has been published in the *Gazette* of the Cape Colony, declaring that any attempt to occupy Baryarland, or to establish autonomous government in that country, will be regarded as an infringement of the rights of the British South Africa Company, and an aggression against British suzerainty, and will be resisted; whether it is to be understood that no British subject is to be allowed in Baryarland without the permission of the British South Africa Company; and, if so, from whence this exclusive right of the Company to occupy this territory is derived; whether he can state how many British subjects there are now in Baryarland, and what is the area of that country; whether he is aware that persons wishing to pass through Mashonaland in order to go northwards are impeded by agents of the South Africa Company; whether he is aware that the Company does not permit any of Her Majesty's subjects to trade in Mashonaland, and that the monopoly of opening stores has been granted to two Kimberley firms, notwithstanding that it is set forth in the Charter granted to the Company, that it is conferred upon it because it will tend

> "To the opening up of the said territories to the immigration of Europeans, and to the lawful trade and commerce of Her Majesty's subjects and of other nations;"

and that it is stated in the 20th Paragraph of the said Charter that

> "Nothing in this Our Charter shall be deemed to authorise the Company to set up or grant any monopoly in trade;"

whether he is aware that the concession from Lobengula in regard to which the Charter was granted is only a concession granting many rights to the Company, and that it conferred on it no land, and that promises are being held out by advertisements of the Company in the South African newspapers offering to intending settlers land in Mashonaland (which forms part of the territory included in the mining concession of Lobengula); and whether, in order to prevent Her Majesty's subjects from being deluded into going into Mashonaland by the promise of grants of land from the Company, Her Majesty's Government will take steps to make it known that the Company can make no grants of land, as it has no land to grant?

THE CENSUS AND THE PRESS.

MR. F. S. STEVENSON (Suffolk, Eye): I beg to ask the President of the Local Government Board whether the instructions laid down by the Registrar General are intended to prevent Registrars from giving to newspapers the number of inhabitants in their districts; whether he is aware that in some cases Registrars are declining to give the information, on the ground that they are not certain whether it is allowable for them to do so; and whether, in view of the interest taken in the numbers, and considering that it is well understood that such numbers as the Registrars supply are subject to correction after final revision in the Census Department, he will make it clear that no such prohibition exists?

*MR. RITCHIE: I have communicated with the Registrar General, and I learn from him that the Census officers are forbidden to give any information concerning the unrevised results of the enumeration in anticipation of their official publication. The Registrar General considers that it would be unwise to withdraw the prohibition; and I agree with him that it would be inadvisable to give general permission to Registrars to furnish information to the local Press and others which may prove incorrect.

COUNSEL AND SELECT COMMITTEES.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the hon. Baronet the Member for Somersetshire (Wells Division) whether the General Committee on Railway and Canal Bills has arrived at any conclusion with respect to the cross-examination of witnesses by counsel before Committees which he can state for the information of the House?

SIR RICHARD PAGET (Somerset, Wells): I have to inform the hon. Member that the Resolution at which the Committee arrived is in the following terms:—

> "On consideration of the Resolution passed by the General Committee on Railway and Canal Bills in 1861, to the effect 'That Counsel shall not cross-examine a witness unless he has been present during the entire examination in chief—and That Counsel shall not re-examine unless he has been present during the entire cross-examination,'
>
> Resolved that the enforcement of such a Resolution is undoubtedly within the privilege of any Railway Committee for the better order of their proceedings."

POLICE SUPERANNUATION.

MR. P. STANHOPE (Wednesbury): I beg to ask the Secretary of State for the Home Department whether a police constable appointed under Section 19 of the Act 3 & 4 Victoria, chapter 88, is entitled to superannuation under the English Superannuation Act of 1890, in the same manner as other county constables?

MR. MATTHEWS: The question does not arise in the Metropolis; but with regard to other forces the question is not free from legal doubt. So far as I can judge, if the police constable appointed under Section 19 has been engaged on the ordinary terms of contribution towards superannuation and otherwise, and has fulfilled the conditions of age and service appointed by the pension scale of the force to which he belongs, he would be entitled to superannuation in the same manner as other constables. As a rule, however, the service under Section 19 is temporary, and in some cases it has been on special terms.

THE BOY MESSENGERS AND DISTRICT SERVICES COMPANIES.

DR. CAMERON (Glasgow, College): I beg to ask the Postmaster General if he will explain to the House the nature of the arrangements into which he has entered with the Boy Messengers and District Service Companies for the carrying on of their business under licence from the Post Office?

*MR. RAIKES: In reply to the hon. Member, I have to state that the arrangements in question are as follows:—The Postmaster General grants licences for the electric call system in London (such system not to include telephones), and if requested to connect the offices of the company or other persons licensed with police stations and fire brigade stations on the same terms as those in force in private wires. The licence to be for 12 years, and a royalty of £25 per annum, and 2s. 6d. per instrument to be paid by the licencees. The company (or other licencees) will act as agents of the Postmaster General to deliver single letters stamped with the penny rate of postage, provided that a messenger of the company may carry any number of letters (not exceeding six) handed in by the same sender. The company is not to make collection of letters. The costs of the legal proceedings have been ordered to be paid by the companies. I should perhaps add, the Private Bill promoted by the Boy Messengers Company has been withdrawn.

ABERDEEN, ORKNEY, AND SHETLAND MAILS.

MR. BRYCE (Aberdeen, S.): I beg to ask the Postmaster General whether he can now state the arrangements which it is intended to make for the provision of an improved mail service between Aberdeen and the Orkney and Shetland Islands?

*MR. RAIKES: I am at present only in a position to state that I have ascertained on what terms the present contractors would be willing to increase the frequency of the sailings of the mail steamers between Aberdeen and the Shetlands by one day a week all the year round, and those terms are now being considered by my noble Friend the Secretary for Scotland and myself.

MR. BRYCE: Can the right hon. Gentleman say when he can give a definite and final answer?

*MR. RAIKES: It will be necessary for the Scotch Office and the Post Office to arrive at a common understanding, and this must be submitted to the Treasury before I can say anything else.

Dr. Cameron

PRIZES AND BADGES FOR THE MILITIA.

VISCOUNT WOLMER (Hants, Petersfield): I beg to ask the Secretary of State for War if it is the intention of the War Office to accede to the recommendations of the Committee of which Major General Mansfield Clarke, C.B., is President, with regard to money prizes to recruits and trained men of the Militia; and if badges will be issued to marksmen in the Militia?

*MR. E. STANHOPE: In reply to my noble Friend, I have to say the Committee has not yet presented its final Report, and its recommendations are not yet before me.

EGYPTIAN EXILES AT CEYLON.

MR. SCHWANN (Manchester, N.): I beg to ask the Under Secretary of State for the Colonies whether his attention has been drawn to the fact of the decease of Abdul al Helmi Pasha, one of the Egyptian Pashas exiled with Arabi Pasha to Ceylon, from asthma and other complications, notwithstanding the assurances given on a late occasion, that the health of the exiles was not suffering from exposure to the damp and hot climate of their actual place of exile; whether his attention has been drawn to a statement in the *Ceylon Mail* of 21st March, to the effect that—

> "Some of the other Pashas are really not in satisfactory health, Toulba Pasha, for example, has begun to suffer from asthma, while Arabi Pasha himself is not free from rheumatism";

and whether Her Majesty's Government will re-consider the desirability of removing the exiled Pashas to some drier climate?

SIR J. FERGUSSON: On behalf of my right hon. Friend, I have to say that no official information as to the death of Abdul al Helmi has been received. A Report on the subject will be called for.

DUBLIN CATTLE REMOVAL LICENCES.

MR. T. M. HEALY (Longford, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will explain why the Privy Council have decided to withhold removal licences for Dublin cattle, which will have the effect of detaining within the city the whole of the many thousands of milch cows now in the dairy yards of Dublin, contrary to the wish of the cowkeepers, who wish to put out the animals to grass for the annual summer pasture, and complain that these beasts, valued at least at £200,000, will be seriously deteriorated by imprisonment during the hot weather, while their owners will be put to much expense for their indoor maintenance; is he aware that many of the Dublin cowkeepers before the decision of the Privy Council had entered into binding contracts for the season's grazing, which will now be useless to them; and in view of the fact that this order extends to every dairy yard, even where there has been no pleuro-pneumonia for years, will he state whether there is any English, Irish, or Scotch precedent for the decision the Privy Council have arrived at?

*Mr. A. J. BALFOUR: The Privy Council have not decided to withhold removal licences for Dublin cattle. In consequence, however, of continued outbreaks of pleuro-pneumonia among Dublin dairy cattle, an Order was passed in February by the Privy Council restricting the movement of cattle out of certain districts scheduled to the Order without the consent of the Lord Lieutenant. Permission will be granted for the movement of cattle in the scheduled districts to pasture lands outside those districts within the North and South Dublin Unions in all cases in which his Excellency shall be advised that the movement can be effected with safety, having regard to the efforts now being made to stamp out pleuro-pneumonia in Ireland. The circumstances of each application for permission to move cattle will receive careful consideration, and a communication to this effect was sent to the Dublin Cowkeepers' Association yesterday. The Order of the Privy Council referred to, restricting the movement of cattle, was made in accordance with the course adopted by the Board of Agriculture in Great Britain.

Mr. T. M. HEALY: I am obliged to the right hon. Gentleman for his answer, which I think will give great satisfaction and remove much misapprehension; but will he inform me, as a matter of fact, why a gentleman named Mr. Thomas Cass, who has not had pleuro-pneumonia upon his premises for 10 years, when he applied for a removal order was refused?

*Mr. A. J. BALFOUR: I am afraid I cannot answer that; but if the hon. and learned Member will put down his question for a later day, I will endeavour to obtain the information.

ASHTON-IN-MAKERFIELD LOCAL BOARD.

Mr. CALEB WRIGHT (Lancashire, S.W., Leigh): I beg to ask the President of the Local Government Board whether he is aware that at the recent election of the members of the Local Board for the township of Ashton-in-Makerfield, Lancashire, the voting papers were deliberately taken out of the tin boxes in which they had been collected and locked, by the direction of the returning officer, by a member and certain officials of the Board; and that this extraction of voting papers took place on Friday night, 3rd April, 1891, previous to their being counted on the next day by the returning officer; and, if so, whether such conduct by paid officials of the Board is a breach of the Act of Parliament?

*Mr. RITCHIE: My attention has not been called to any of the proceedings in connection with the election of members of the Local Board for the district of Ashton-in-Makerfield, and the Local Government Board have no jurisdiction whatever with regard to the election. If it is alleged that there have been any illegal practices which constitute an offence under the Public Health Act, 1875, in connection with this election, I may point out that provision is made by that Act for the punishment of the offence.

ARREARS IN THE LAW COURTS.

General GOLDSWORTHY (Hammersmith): On behalf of my hon. Friend the Member for Wandsworth (Mr. Kimber), I beg to ask the Attorney General whether he is aware that there are nearly 500 causes, besides motions, petitions, &c., awaiting a hearing in the Chancery Division, and over 1,500 in the Queen's Bench Division, which at the present rate of progress, and with all the Judges working hard, will take more than 12 months to try, irrespective of new causes; and whether, and when, the Government proposes to appoint additional Judges to overcome the very serious damage which the delay is inflicting on a large number of Her Majesty's suitors for justice?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): In answer to the question of the hon. Member, I have to state that I believe that the statements of fact contained in the first paragraph of his question are substantially correct. With regard to the question of the appointment of an additional Judge, I may say that the matter is receiving the careful attention of Her Majesty's Government. It is not possible, however, for me to make any statement with regard to the latter part of the hon. Member's question.

MR. H. H. FOWLER (Wolverhampton, E.): I beg to ask the Attorney General whether it is the fact that, in the Queen's Bench Division Courts, two Judges are constantly sitting for deciding questions of no greater importance than those which are decided in the Chancery Division by one Judge; and whether, having regard to the waste of judicial time involved in the present arrangements for the administration of justice in London and at the Assizes, to the accumulation of arrears arising from the long periods during which the Courts are not sitting, and to the dissatisfaction which exists with respect to the increased cost and delay caused by the working of the Judicature Acts, the Government will institute an inquiry, either by a Royal Commission or by a Select Committee, either of this or the other House, to inquire into and report on the whole question?

SIR R. WEBSTER: In answer to the question of the right hon. Gentleman, I have to say that the first paragraph raises a point which was considerably discussed last year upon the occasion of the passing of the Bill of the hon. and learned Member for Inverness, and that there is a great difference of opinion as to whether more than one Judge should sit in Courts *in Banc*. There are certainly many cases that come before Divisional Courts of the Queen's Bench Division which require the attention of two Judges. The latter part of the question of the right hon. Gentleman should be addressed to my right hon. Friend the First Lord of the Treasury.

General Goldsworthy

MR. H. H. FOWLER: Perhaps the First Lord of the Treasury can answer now?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): My attention has not been called to this question until this moment, and I am sure the right hon. Gentleman will see the answer requires a little consideration.

GALLERY OF BRITISH ART.

MR. MUNDELLA: I beg to ask the First Lord of the Treasury whether, in proposing to give the large plot of ground opposite the Normal School of Science at South Kensington for a Gallery of British Art, the Government had fully considered the difficulties of interpolating an Art Gallery under an independent management between portions of the Science School and the Science Collections of the Science and Art Department, and the future requirements of the Science Museum and the extension of the Science School, especially in view of the recent great development of technical education, owing to the Local Taxation (Customs and Excise) Act of last Session, with the demand for teachers caused thereby; and whether the Government would appoint a small Committee to report on the matter? I apologise for the form in which the question appears, for which, however, I am not responsible.

*MR. W. H. SMITH: In assigning as a site for a Gallery of British Art the plot of land opposite the Royal College of Science the Government have not overlooked the requirements, immediate or prospective, of the Science and Art Department, either in respect of its Science Collections or in respect of the additional accommodation required for the College of Science. For the Science Collections there will be available, part at once and part within a year or two, a continuous range of galleries, consisting of the present southern, western, and eastern galleries, and the cross gallery which is about to be constructed between the western and eastern galleries, thus affording more than the amount of accommodation which the Committee of 1889 considered to be necessary. Over and above this accommodation, Government has at disposal more than three acres of vacant land facing the Imperial Institute, and considerable areas besides to the south of the present southern galleries. A portion of these vacant lands can be utilised for the extension of the College of Science and for future growth of the Science Collections. Additions to the College of Science must in any case take the form of a separate building, divided from the present building by Exhibition Road; and as access to the lands mentioned above from Exhibition Road will be secured by means of a corridor, the interposition of the Gallery of British Art need have no more serious effect than to increase by some 60 yards (which will be under cover) the distance between the two portions of the Science College. As the Art Gallery will be a distinct and separate building, the fact that it will be under different management need cause no greater difficulty than does the fact that the Natural History Museum is under a different management from that of the adjoining science galleries.

RAILWAY WORKS IN THE CROFTER DISTRICTS.

MR. J. CHAMBERLAIN (Birmingham, W.): I beg to ask the First Lord of the Treasury whether he is now ready to state the arrangements of the Government with regard to railway extension in the crofter districts of Scotland?

*MR. W. H. SMITH: I am sorry that I am not yet in a position to make any definite announcement. We are in negotiation for the construction of a line of railway, and the Government are prepared to recommend that very substantial assistance should be given if adequate security can be obtained for its construction, working, and maintenance by a responsible company. I shall probably be able to say something definite in the course of next week.

DR. CLARK (Caithness): May I ask the right hon. Gentleman where this line is?

*MR. W. H. SMITH: I am not in a position to give any further information.

DR. R. M'DONALD (Ross and Cromarty): Will the House have an opportunity of discussing the matter?

*MR. W. H. SMITH: We feel the importance of the subject, and, as the hon. Gentleman is aware, any undertaking the Government give must, to be effective, have the ratification of the House. We must ask the House to approve our recommendation before it can become effective.

TUESDAY AND FRIDAY SITTINGS.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the First Lord of the Treasury whether, seeing that Morning Sittings have now become habitual, he will, if the sense of the House appears to be in favour of the proposal, move a new Standing Order, under which the House should rise not later than half-past 12 o'clock on days on which Morning Sittings are taken? I may say that all the Members with whom I have communicated are in favour of the suggestion in my question, except those who are in favour of rising at 12 o'clock.

MR. LENG (Dundee) also had notice of the following question:—To ask the First Lord of the Treasury whether, in view of the growing feeling in favour of the curtailment of Debates and earlier closing of the Sittings of the House, he will consider the expediency of the Twelve o'clock Rule, now applied on Mondays and Thursdays, being extended to Tuesdays and Fridays, so that discussions may be terminated not later than midnight?

*MR. W. H. SMITH: I observe with very considerable satisfaction, so far as I am individually concerned, the expression of a desire in all parts of the House for an earlier conclusion of our Debates on Tuesday and Friday evenings; but it will be obvious to the House that I could not make any proposal of the character suggested unless I was satisfied that it would receive almost unanimous support. I shall endeavour to satisfy myself on that point; and if I am assured that any proposal of the kind will be cordially accepted by the House, I propose to put down a Motion, after 12 o'clock on some evening, because I could not devote important time at the disposal of the Government for the discussion of a question of that kind. If the House be disposed to entertain a Motion of that kind, I will make a proposal shortly after 12 o'clock; and I should rather be disposed to accept the suggestion of the hon. Member for Poplar, that we should fix half-past 12 o'clock as the time for the closing of Debate. [*Loud cries of* "Twelve!"] I will endeavour, with the assistance of hon. Gentlemen on the other side of the House, to satisfy myself as to the prevailing feeling in the House.

MR. DE LISLE (Leicestershire, Mid): The right hon. Gentleman will, perhaps, answer my question: whether he will move a new Standing Order maintaining the Midnight Rule on days on which Morning Sittings are taken, limiting speeches at such Evening Sittings to the space of half-an-hour?

*MR. W. H. SMITH: I have always been disinclined, and I remain disinclined, to put a limit on the speeches of hon. Gentlemen. I do not know how I could do so successfully; and I am satisfied that such a limitation, unless it was imposed by the sense of the House itself, would be one which would be absolutely futile, and would not be attended with satisfactory results.

TRAINING SHIP AT STORNOWAY.

DR. R. M'DONALD: I beg to ask the First Lord of the Treasury whether, as was recommended by the Crofters' Commission, the Government will cause a training ship to be stationed in Stornoway, in order to utilise the services of a large number of young men anxious for such employment, in view of the deficiency which this year exists in the number of Naval Reserve men, and in the interests of the Island of Lewis?

*MR. W. H. SMITH: I think it would have been more satisfactory if this question had been addressed to my noble Friend the First Lord of the Admiralty; but in reply to the question of the hon. Member, I have to inform him that drill ships for the Royal Naval Reserve are only placed where there are no batteries. At Stornoway there is the largest battery the Admiralty has anywhere, and between 1,900 and 2,000 men are trained at it. There is no difficulty in maintaining the numbers of the Royal Naval Reserve voted; but when an increase of the force is ordered, the additional numbers are not all at once available. If a training ship for boys is referred to, the Admiralty could not recommend one being placed so far North. If boys are willing to join the Royal Navy from Lewis, they will, of course, be received, as are boys from any other part of the coast.

THE NEWFOUNDLAND BILL.

MR. M. FERGUSON (Leith, &c.): I beg to ask the First Lord of the Treasury whether Her Majesty's Government intend to take the Second Reading of the Newfoundland Bill before the delegates from that Colony have been heard?

*MR. W. H. SMITH: Her Majesty's Government are not yet aware whether the delegates desire to be heard; but I would point out that, according to invariable precedent, Counsel would not be heard till after the Second Reading of the Bill in the House of Lords. The matter will, however, receive full consideration.

RELIEF WORKS, WEST DONEGAL.

MR. A. O'CONNOR (Donegal, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what steps, if any, have been taken to start relief works in Ranafast, Ranomona, and Loughnanoran, in West Donegal; whether he is aware that there is much fever in these districts; and what means of subsistence there are for the 783 inhabitants from this time till June, and for the women and children from June till the return of the wage-earners from the Scotch harvest in August?

*MR. A. J. BALFOUR: The condition of the districts mentioned is being carefully watched, but I am happy to say no necessity has arisen to start relief works. As the result of local inquiry, I cannot find that fever exists there. An outbreak of scarlatina had occurred in Dungloe dispensary district, but it was practically over on the 25th ult. It is not anticipated that any distress will arise to deprive the inhabitants of their present means of subsistence, or to derange the practice followed by the heads of families in previous years with regard to the maintenance of their families while they themselves are wage-earning in Scotland.

EMPLOYERS' LIABILITY BILL.

MR. S. BUXTON: On behalf of my hon. Friend the Member for West Nottingham (Mr. Broadhurst), I beg to ask the Secretary of State for the Home Department whether it is the intention of the Government to proceed with the Employers' Liability Bill during the present Session?

Mr. MATTHEWS: It must depend on the course of Public Business, and on the progress made with other Government measures, whether any practical result can be attained by proceeding with the Employers' Liability Bill this Session. I should not proceed with it unless there is a reasonable prospect that the House will have time to carry it through its stages.

MANICALAND.

Mr. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for Foreign Affairs whether any Despatches have been received from the Portuguese territory impugning the statements of the agents of the South Africa Chartered Company in respect to transactions in Manica; whether the House will have an opportunity to see the correspondence that has taken place between Her Majesty's Government and the Portuguese Government in regard to these transactions before the Colonial Vote is taken; whether he is aware that Mr. Colquhoun, who is now the leading official of the Chartered Company in Manicaland, was removed from his appointment as Deputy Commissioner of Burma by the Government of India, for having been proved to have instigated attacks, by the *Times* correspondent at Rangoon, on the Chief Commissioner of Burma, whilst, at the same time, assuring the Chief Commissioner in private letters of his complete confidence and loyal devotion; and whether the information of Her Majesty's Government, in regard to matters in Manica, is derived from Mr. Colquhoun?

Sir J. FERGUSSON: The Reports which have been communicated to us by the Portuguese Government give, in some respects, a different account of the events in Manica from those sent by the agents of the South Africa Company. It would be inconvenient, and contrary to established usage, to publish the correspondence while negotiations are pending between the two Governments. I am informed that Mr. Colquhoun was removed from his office in Burma on account of his conduct to the Chief Commissioner. The information in the possession of Her Majesty's Government respecting the events in Manica is derived from various sources: the Chief Commissioner at the Cape, the South Africa Company, and the Portuguese Government. I am unable to say what portion of it, if any, may have been furnished by Mr. Colquhoun. But the officer who took part in the affairs at Mutassa's Kraal and reported on them was not Mr. Colquhoun, but Captain Forbes.

Sir GEORGE CAMPBELL: Can the right hon. Gentleman give us any information proving or disproving the Report of the conduct of Mr. Colquhoun in reference to his removal from the Service?

Sir J. FERGUSSON: I must ask for notice of any further question. I may point out that Mr. Colquhoun was not removed from the Service, but only from the special appointment in Burma.

Mr. LABOUCHERE: Removed afterwards, I suppose?

Sir GEORGE BADEN-POWELL (Liverpool, Kirkdale): Is the right hon. Gentleman aware that there are two gentlemen of the name of Colquhoun up there, one of whom did not serve in Burma?

Sir J. FERGUSSON: I am not aware; but my answer refers to the one who did.

RATING OF SCHOOLS BILL.

Mr. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the President of the Local Government Board whether his attention has been drawn to the heavy additional burden which will be imposed on the ratepayers of the poorest districts in London by the Rating of Schools Bill, which proposes to exempt public elementary schools from rateability; and whether it is the intention of the Government to support the Bill; and, if so, whether they will move or support an Amendment (in the event of the Bill being read a second time) excluding the London School Board district from its operation?

*Mr. RITCHIE: No doubt, Sir, if schools were exempted from rating, the additional burden, so far as they are at present rated, would have to be borne by the other ratepayers. I would, however, point out that if, as is alleged, the result of assessing voluntary schools on their full rateable value were to be the closing of voluntary schools, the effect on the ratepayers would probably be much more serious than their exemption from rating. The Government will state the course they intend to pursue when the Bill comes on for discussion.

BRIXTON MILITARY PRISON.

Mr. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department whether it is true, as reported, that he proposes to place Brixton Military Prison under the charge of a chief warder; what are the wages and qualifications of a chief warder; whether it is the legal duty of the chief officer of a prison to "observe the conduct of the prison officers, and enforce on each of them the due execution of his duties"; and whether, under the the new arrangement, the chaplain and surgeon at Brixton will thus be subordinate to the chief warder; and, if not, to whom will they be subordinate?

Mr. E. STANHOPE: The question relates to my Department, and the hon. Member will allow me to answer. From the present small number of military prisoners at Brixton, it is considered that a chief warder will be sufficient for the charge of the prison. The pay is £125 a year, with a yearly increment to £150, with quarters; and the qualifications of the present chief warder are experience and good conduct in a similar capacity. As the chief warder is generally responsible for the prison, the other officials are necessarily in a sense subordinate to him, as in many other military prisons; but, of course, the chaplain and the medical officer are responsible for their technical duties, whether the officer in charge is styled governor or chief warder.

WOMEN'S DISABILITIES REMOVAL BILL.—(No. 175.)

Order for Second Reading upon Wednesday 13th May, read, and discharged.

Bill withdrawn.

PROVISION FOR OLD AGE (FOREIGN GOVERNMENTS).

Address for—

"Return of the assistance afforded, or facilities given, by the Governments of Europe to the provision of the industrial population for old age, whether in the shape of compulsory insurance, State annuities, State guarantee of the security of industrial savings, or grants to Friendly or Benefit Societies, and sociétés de sécours mutuels."—(*Mr. Howard Vincent.*)

Mr. Ritchie

MOTION.

ARREST AND IMPRISONMENT OF AN INDIAN SUBJECT.

ADJOURNMENT OF THE HOUSE.

(4.55.) Mr. CONYBEARE, Member for the Camborne Division of Cornwall, rose in his place, and asked leave to move the Adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, "the Arrest of an Indian Subject in Bombay and his Imprisonment for nine months in the Gaol of Assergarh, and his subsequent deportation to London without trial and without any charge or accusation having been brought against him;" but the pleasure of the House not having been signified, Mr. Speaker called on those Members who supported the Motion to rise in their places, and not less than 40 Members having accordingly risen:—

Mr. CONYBEARE: I am loth to trouble the House with a Motion of this kind; but there are Members in the House who will recollect that I have again and again pressed the Government of India with questions on the subject without receiving any reply I could consider sufficient, and it is not only because the question involves a case of very great hardship and maltreatment to a particular Mahomedan subject of Her Majesty, but also because it involves a question of principle relating to the Government of India generally, that I consider it to be of sufficient importance to justify the step I am taking this evening. I am sure there are not many Members in this House who would have credited the statement had anyone told them before this case arose that it is in the power of Her Majesty's Government in India to act as they have acted in relation to this Mahomedan gentleman, Sheikh Abdul Rasoul. I will briefly recapitulate the facts as they are stated to me, and as they have been admitted to be in the answers I have received from Members of the Government, to questions I have put in the House. All I can say is, whether the Government can justify their action under old-fashioned regulations which they admit to be the authority under which they have acted, or not, I hope, at any rate, the House will come to the conclusion that old regulations passed in time of turmoil and confusion and warfare in the early days of our Indian Empire, are quite unsuited to the requirements of modern times, and ought either to be repealed at once, or at any rate, ought not to be acted upon without far more than the bare suspicion which I believe Her Majesty's Government now allege to be the ground of their action. Sheikh Abdul Rasoul was born in Kashmir, which city he left 35 years ago. He remained one year in Mecca, and lived in Constantinople for 30 years, where he received 45 guineas per month as a Professor of Languages to the college, and where he was a member of the Academy. After the Russian war he left Constantinople, and came to London, where, having a little money, he published an Arabic and Persian newspaper, called *Gairat*. He remained in London 10 years, and then returned to Constantinople. During his residence in London, Sheikh Abdul Rasoul maintained himself partly by teaching languages, and received support also from his countryman, Porbuksh. He left Contantinople again after three months stay, and went to Moscow where he stopped four months. He was supported all this time by friends. From Moscow he journeyed to Berlin, where he stayed 10 days, and then went to Paris. He left that city for London after one month's stay. After remaining in London for one month, he went to Cairo where he lived for two years. He again returned to Paris for two months whence he went to Cairo and Bombay. He was travelling all this time for pleasure. He corresponded with the Government during his travels. He took a great deal of interest in the Soudan War. I place these details before the House to show that there is nothing this gentleman desires to conceal. His life has been more or less a public one, for at any rate portions of his time, and if he has been in correspondence with Members of the Government—I do not mean this Government in particular—and with the Maharajah Dhuleep Singh—that, in the absence of far more weighty evidence than has been vouchsafed by the Government, does not entitle the Government to treat him as he has been treated. What was that treatment? When he arrived at Bombay, in January last year, he was arrested by the Commissioner of Police, his clothes and boots were cut to pieces on pretence of discovering if he had any treasonable communications concealed about his person, he was then placed on the railway and carried to the inland fortress of Assirgad, and there detained, nine months after which he was removed to Bombay under arrest, placed on board a Peninsular and Oriental steamer, and landed friendless, penniless, and homeless, in the London docks; and but for the care taken of him by certain friends, who fortunately have the means of ascertaining these facts, taking up a case like this, and bringing it before the House and the country, this unfortunate man, for aught the Government cared, might have perished of starvation in this city. Now the answer of the Government, so far as the question of deportation is concerned, is that they did not deport—that this gentleman asked to come back to England of his own free will. Well, that is an official explanation. I place before the House by the side of it, and in direct opposition to it, the deliberate statement of Abdul Rasoul himself, and I will ask the House to say which party is most worthy of credence, the Government who have deported this unfortunate man under a regulation which, according to the admission of the Government, does not give authority to deport any person from India—I will call attention to this particular regulation presently—whether the explanation suggested by the motive of getting out of the difficulty this deportation landed the Government in, is to be accepted, or whether the statement of this gentleman does not bear evidence of its truth, and that the statement of the Indian Government is not true. As to the way in which he was brought down to Bombay, he declares that he was 26 hours travelling from Assirgad. He says—

> "I was under a guard of eight police; hence the Government of India has paid all our rents of the railway and food."

I would ask the House to consider the improbability of a man being sent back to England at his own wish under a guard of police. He says—

> "The new Commissioner of Bombay has informed me that he has received telegram from the Viceroy that he should send me back to London."

Will the right hon. Gentleman deny that that is the case? Is this telegram in existence; and, if so, will he produce it? He goes on to say—

> "Then I replied to him in the presence of one of my companions Khan-Saheli that I am not going back to London by my own wish because I have not any means for my living there."

The man he refers to is capable of production, and I challenge the Government to produce him. Abdul therefore said distinctly, when he was under this escort of police, he was not going to London at his own wish, but against it. He goes on to say—

> "In reply he said that the India Office of London knows very well all this matter and it will arrange for you any sufficient pension, whether from the said office or from 'Dhuleep'; then he immediately sent me back to London with a passage of second class, from the office of the Commissioner to the port of Bombay under a guard of six police and one English officer with three carriages. The Government has paid all our rents for the said carriages, and from that port to the *Assam* steamer we were carried by a steamboat of the Government."

He asks—

> "Hence how can you believe now that I came to London with my own wish?"

I find, further, that Rasoul declares that his arrest, when he arrived at Bombay, was—

> "Because of communications received from the India Office by the Commissioner of Police at Bombay, so that the India Office knows all about the matter."

I have asked the Representative of the India Office in this House whether that is the case, and I have been met with a denial of the fact. But then I want to question the Government in reference to the answer given by the right hon. Gentleman this afternoon. He intimates now, for the first time only, after I have been harrassing him with questions again and again, that it was in consequence of a supposed treasonable communication with Dhuleep Singh that this gentleman was arrested. I ask the Government to state whether it is not the fact that Dhuleep Singh was in Europe at that time? I have not heard that when Dhuleep Singh issued the proclamation, that is said to have been treasonable, he was in India. I always understood that he was in Paris or some other part of the Continent. I ask the right hon. Gentleman opposite whether as a matter of fact Dhuleep Singh was not in Europe at that time, and if he was, I ask the House to consider whether there is not, at any rate, a great deal of probability in the statement of Abdul Rasoul when he says that the orders came from this side to the Viceroy to arrest and imprison him, and that therefore the statement made to me by the Government is not correct—that is to say, the statement that they knew nothing about the matter, and could not do anything until they had communicated with the Viceroy as to the circumstances of the case. It will be found by those who may have followed this matter that, in reply to the questions I have addressed to them from time to time, the Government have again and again objected to give me information on the ground that they were seeking information from India. I first mooted this question in the House on the 17th February, and as late as the 16th March I was being informed by the Government that they had no information because they had recived none from the Government of India. There is this curious discrepancy and contradiction in the answers which have been given to me by the Government: After telling me that Abdul Rasoul had been sent to London at his own request, they informed me that the Secretary of State was not in possession of information which enabled him to state the cause of complaint or to prefer any charge. In the same answer the right hon. Gentleman the Member for Manchester, who represented the Under Secretary of State for India for the time being, said the Government had offered to refund the expenses of Abdul Rasoul in this country since his arrival in November, 1890, and that he had been offered a passage to Bombay, with permission to return to Kashmir. Now, I want to know whether at the time that answer was given to me the Government knew the reason this gentleman had been arrested and imprisoned? If they had no information to give me as to the character of the suspicions against Abdul Rasoul, or the evidence upon which he was arrested, I want to know why it is—how they can explain the anomaly of their conduct in offering this gentleman such compensation as would refund him his expenses in this country and enable him to reach Bombay and Kashmir? The Government are in this difficulty: First of all they tell us they have no evidence against the man, and know nothing of the reasons why the Viceroy thought it right to have him arrested, and they promise to give us the information, which promise they wait until to-night to carry out; and then, at the same time, they say, "We will send this gentleman back free of charge at the expense of the nation." But if the man was guilty of any offence at all, we have a right to demand what character the accusation assumes. If he is guilty, we have the right to say that the Government are not justified in sending him back to Kashmir and offering him a safe conduct. And if he is not criminal—and this is the chief ground of my complaint—there was no ground for his detention at all. I claim that the Government ought to go further, and give him some kind of compensation for the atrocious ill-treatment he has received. That is not all. It was not sufficient that this gentleman should thus be treated in India—insulted on his arrival at Bombay, taken up without a word of warning, imprisoned for nine months in India, and then sent back in the charge of a *posse* of police against his will. That is not sufficient. When he comes to this country, what happens? He applies to the India Office to be allowed to place his case before the authorities of the India Office. I would ask the House to observe that if the Government are correct in saying that he came to this country at his own request, it was for the purpose of being able to prefer a charge against the Government and the police as regards his grievances before the supreme authorities at the India Office. Yet when he was brought here by the Government at his own request, and surely for no other purpose than to seek redress, how do they treat one of our fellow-subjects in India, when he has so serious a grievance to prefer against the Indian Government? This gentleman first of all waited upon Lord Cross at the India Office. I think the statement he made to me—for I have personally examined him and tested his veracity in every way—was that he waited three hours on one occasion at the India Office without seeing Lord Cross, and he was treated as a beggar or a dog and refused permission to see any of the authorities at the India Office. He then wrote a letter preferring his complaint and asking permission to expose his grievance. No notice was taken of that letter. Then he wrote a second letter, which was witnessed for him by a friend in London and which he took the precaution of having registered, and sent it to the India Office. That letter was also disregarded. Not a single syllable of reply was vouchsafed to this poor Mahomedan fellow-subject of ours; and if it had not been for the fact that the matter was brought by me before this House at the instance of friends in London, no more, probably, would have been heard of the matter, and nothing would have been done by the right hon. Gentleman and his Colleagues at the India Office. In consequence of the questions I repeatedly put to him, the right hon. Gentleman admitted that it was, at the least, uncivil that his office did not take the trouble to reply to those letters. I say it was not only uncivil, but positively unbusinesslike, and I want to know if this is the usual manner in which the business of the office is conducted. It is a monstrous thing that, because a man happens to be a Mahomedan and a native of Kashmir, he should be treated like a dog, when he has a solid grievance to bring before the Government of the country. No other person would be so treated as long as he was not a native of India or some other foreign portion of Her Majesty's dominions. The Government seem to have got a little frightened at last when I pursued my inquiries in this House; and so I find that on the 24th of February, Abdul Rasoul was requested to go to the India Office and see one of the officials. He saw Sir Gerald Fitzgerald, who offered him £10 for maintenance, and said: "I suppose you are willing to go back to India." I want to point out that at this time the Government were informing me in this House that they knew nothing of the circumstances of the case, and were waiting for information from India. The right hon. Gentleman (Sir J. Gorst) shakes his head, but the official reply in the pages of *Hansard* proves that it was so. The interview to which I refer took place at the India Office before the 24th of February. On the 9th of March I got this answer from the Government—

> "Abdul Rasoul was offered the refund of his expenses since arrival in November, 1890; a passage to Bombay and permission to return to Kashmir. He was sent to London at his own request. If Abdul Rasoul demands compensation, he should address himself in the first instance to the Government of India, and, in the event of their refusing him redress, appeal to the Secretary of State. The Secretary of State is not in possession of information which enables him to state the cause of complaint or prefer any charge."

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): What I said in reply to the first question was that the Government could take no steps to deal with Abdul Rasoul until they received information from India. Two days after that the information came that the Government of India paid the passage of this man to London. Immediately after that we offered to pay his passage back again.

MR. CONYBEARE: That is all very well; but the question I have been hammering at, and could get no answer from the Government to, was as to the guilt or innocence of this man. Why should this man be treated in this infamous way, and then be sent back in this hugger-mugger fashion, in order to shut the matter up in this House? Why should he be sent back before we were informed whether he was guilty or not? The information I asked for in the first place I tried to obtain again and again, and only to-day, for the first time, have I been able to get a clear answer. What was the cause of complaint, if any, against this gentleman? At the time the right hon. Gentleman gave me the answer I have read he had not learned, or, if he had, he took very good care not to tell me, the cause of complaint against this gentleman. His words are—

> "The Secretary of State is not in possession of information which enables him to state the cause of complaint or prefer any charge."

Yet, without knowing whether this man was guilty or not, they offered to pay his debts in this country and to send him back to India free of expense. I say, if the man was innocent he had no business to be treated in that way. If he was not innocent he ought to have been brought to justice; and, in any case, we have a right to know definitely what was the charge the Government were prepared to bring against him, and whether they have now become convinced that there was no ground whatever for that charge. It is not a charge really, but merely a matter of suspicion. The right hon. Gentleman says the Government had reason to believe or suspect that Abdul Rasoul was in communication with Dhuleep Singh, who had issued a treasonable Proclamation. A more humbugging way of dealing with one of Her Majesty's subjects I never heard of. If the Government had any solid ground for suspecting that there was any treasonable communication between this man and Dhuleep Singh, I say we have a right to know exactly whether they have come to the conclusion or not that the man was not guilty of any such treasonable practice as they thought he might be guilty of at the time of his arrest. But the importance of that is this: If this gentleman was kidnapped and imprisoned for nine months without a single charge or accusation being brought against him, and if the Government now—and they have by their action in offering him money, and offering to send him back to Kashmir—if the Government admit that there was no ground for the accusation against him, if he was not guilty of the matters of which he was suspected, have we no right to demand that this unfortunate man should have something in the way of compensation? They say, "We won't consider the question of compensation." I have a letter from the India Office saying, "We will simply pay your debts within certain limits; we will pay your passage to Bombay, and give you a safe conduct to Kashmir," and in the event of his refusing these terms, in the event of his pressing for something in the shape of compensation for these grievous wrongs which the action of the Government showed that they believed to exist, and were not justified by reason of there being no guilt attaching to him at all, they say they will have nothing more to do with him. Now, I do not know that it is of any use pressing the right hon. Gentleman further on this question of compensation. But the House and the country will realise what this state of things is—that a man may be kidnapped and imprisoned in this way upon the barest suspicion, and treated with all sorts of indignity, and brought against his will, under police escort, to this country; and then the Government, by their action, admit that there was nothing against him whatever; that he was an innocent man, and when he asks for some compensation and redress of his wrongs he is thrown back on what I venture to call a very illusionary promise or statement of the Government. They said the right persons to apply to are the Government of India. I should like to know what sort of redress this man would get from the Viceroy? How is he to proceed, I should like to know? In India he would have no chance whatever of getting any compensation. Is there any Court in India before which this gentleman could bring his complaint against the Viceroy? Could he in any way attack the Viceroy in the Courts with a view to obtaining any redress? And probably the only answer he would get if he were to bring this matter before any Court in India, would be to be told "This is not a matter that concerns us; we derive our instructions and our information from London, and you must go to Lord Cross, who is the supreme authority in this matter, to whom these demands should be in the first place made." That is a style of playing at battledore and shuttlecock with the rights of our Indian fellow-subjects which is disgraceful, and it would be a novelty to most Members to find that such a thing could be possible at all. Therefore, I must again press the Government to re-consider their position in this matter. I think I have shown, and it must be clear to everybody, first, that this man has been wronged; and, secondly, that the Government know that they were wrong and that they have dealt unjustly by him, and I want the House to realise the effect upon the minds of our Indian fellow-subjects of such treatment. It is all very well to treat this matter as a matter affecting an individual. The effect of an incident of this kind will be far-reaching. It will permeate through every corner of India, and quite right that it should. And then, what effect do you suppose it will have upon the feelings of loyalty towards this country on the part of the people of India? How can you expect that the people of India will be satisfied with the paternal despotism of which we are always boasting in India, when they find that Europeans go scot-free, that the fact of a man being a European is enough to prevent his being touched under these old-fashioned Regulations, while any unfortunate native may not only be detained in the way this gentleman was, but may have all his possessions and lands attacked and taken from him as well? I will just refer for one moment to the Regulations under which this matter takes place, and I want to draw attention to them for this reason: In the question I asked this afternoon the right hon. Gentleman was forced to admit that his previous answer to me was wrong when he said this gentleman was arrested under Regulation 3 of 1818. And it shows how little the right hon. Gentleman knows about this matter himself. There are several Regulations, and Regulation 3 of 1818 applies solely to Bengal. The Government had no more power to deal with this gentleman under Regulation 3 of 1818 than they had to deal with him under the Habeas Corpus Act, which unfortunately does not affect India in the smallest degree. The Regulation which the Government did act under was the Regulation passed in 1827, No. 25. The Regulation 3 of 1818 applies solely to Bengal; this Regulation of 1827 applies solely to Bombay. This is the Act under which this incident has taken place, and the Preamble of this Regulation states that,

> "Whereas reasons of State embracing the due maintenance of alliances formed by the British Government with foreign Powers, the preservation of tranquillity in native territory, and the security of British dominions from foreign hostility and internal commotion, occasionally render it necessary to place under restraint individuals against whom there may not be sufficient ground for instituting any judicial proceedings, when such proceedings might not be adapted to the nature of the case, or may from other reasons be inadvisable and imprudent."

Then the Regulation follows, which enables the Government to arrest and detain any native gentleman whom they may suspect, and so on. That is Chapter I. of this Regulation. The second chapter contains rules for the attachment of lands for reasons of State, and for the removing of such attachments. Therefore, you have by the two classes of Regulations, which are no doubt very similar in both territories—Bengal and

Bombay—first of all enabled the Government on the barest suspicion, or for no reason at all, to arrest and imprison a native gentleman; and, secondly, to deprive him of his property and his estates. I want to ask the right hon. Gentleman upon that point whether it is not the case that these Regulations apply solely to natives, and whether it would be possible to attack any European subject under these Regulations? If I am not misinformed, these Regulations are strictly limited to natives of India. And I want to know why at the present time should such a Regulation as that be maintained with this odious distinction between the English Governors of the country and our native fellow-subjects, considering that it might not be inconceivable that European emissaries might also—if there is any ground for supposing that native emissaries do — create disturbances and disaffection? Now I hope, Mr. Speaker, that I have made this matter perfectly clear. As I have said before, I have brought this matter forward because I believe that it will be a perfectly new thing to most people that this Regulation exists. I repeat that these Regulations under which the Government acts are old-fashioned Regulations belonging to the year 1818 and 1827, when the circumstances were totally different to what they are at the present time. I venture to think that most people will agree with me that whatever may be done in this particular case of Abdul Rasoul, it is quite time that these Regulations should, in the interests of good government in India, be abrogated, or, at all events, no longer acted upon. I cannot conceive anything more calculated to destroy confidence in the justice of our rule in India than the maintenance and exercise of Regulations such as that which I have brought under the notice of this House. There is another point I want to address the Government upon before I resume my seat. It has reference to a question which I have asked several times as to the number of persons who have been imprisoned under this Regulation. I asked, in the first place, for the names and numbers of the persons so imprisoned, but the right hon. Gentleman said it would be prejudicial to the interests of the country to give such particulars. But there can be nothing prejudicial to the interests of the country in giving the numbers of the persons over a series of years who have been thus treated. We want to know how these extraordinary Regulations have been put in force. I again ask the right hon. Gentleman why he objects to give a Return showing the number of persons who since 1815 have been deprived either of their lands or their liberty? I thank the House for having allowed me to bring the matter forward, and I hope I shall not be considered as having unduly trespassed upon the time of the House, having regard to the magnitude of the subject. I hope the right hon. Gentleman will be able to give us some satisfactory assurance on the point. If not, I am afraid we will have to avail ourselves of the alteration of the Rule by putting down an Amendment to the Motion to go into Committee on the Indian Budget for the purpose of further discussing this matter.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Conybeare.*)

*(5.35.) SIR J. GORST: I hope in a very words to be able to assure the House that my noble Friend the Secretary for India is desirous not only of treating this unfortunate man with justice, but with kindness and generosity. There are four matters which the hon. Member for Camborne has dealt with in his Motion for the Adjournment of the House, and I may be permitted to say that he has rather mixed them together, but I will endeavour to keep them distinct. The first question is whether this Abdul Rasoul was properly arrested and put in prison by the Government of India. The second is the question whether he was deported or not to this country. The third is the question, what is to be done with Abdul Rasoul now he is in this country. And the fourth is the claim of Abdul Rasoul for compensation for imprisonment, which the hon. Member has rather mixed up with the other points. I shall take each of these four points separately, and deal with them frankly to the House. The first question is, was the Government of India justified in arresting and imprisoning Abdul Rasoul in India? That is a question which this

House, even if it wishes to do so, is not yet in a position to discuss, because, as I have repeatedly stated to the hon. and learned Member, in answer to his questions, we are not in possession of the information which will enable the Secretary of State himself to judge whether the Government of India, in arresting Abdul Rasoul, has exercised wisely or not the discretion entrusted to it by law. Now, the hon. Member has found great fault with the existence of the arbitrary and despotic power given by these Regulations to the Government in India. That is a large question which this House might discuss if it is disposed to do so. But India, it must be remembered, is a despotic country; it is not a free country; it is a country which is governed by a very arbitrary and a very strong despotism, and the power given by these Regulations to which the hon. Member refers, is one of those powers which are put into the hands of arbitrary Governments, and which must be exercised by an arbitrary and despotic Government from time to time. The hon. Member asks me whether these Regulations are applied only to natives and not to Europeans. They apply to everybody who goes to India. If the hon. Member for Camborne were to go into the Province of Bombay, and were suspected of acting in a manner which was likely to interfere with the security of the British dominions from foreign hostility, it would be the duty of the Viceroy of India to arrest the hon. Member, and to detain him for such time as would prevent him from carrying out his nefarious intentions. The hon. Member says he has experienced great difficulty in drawing from me the reason of the arrest of Abdul Rasoul. That is quite true. I have had the information dragged from me with great reluctance, and it is the hon. Member for Camborne, and not the noble Lord the Secretary of State or myself, who is responsible for the publication of the facts. During the last two months I have been most anxious not to state the reason. The Maharajah Dhuleep Singh, having made his submission to Her Majesty, I was most reluctant to rake up those matters which for the Maharajah's sake ought to be forgotten. But the hon. Member, by his reiterated question, has compelled my noble Friend to tell the House the reason why this man was arrested. He was arrested because the Government of India had reason to believe that this Sheikh was an emissary of the Maharajah Dhuleep Singh, and arrived in India for the purpose of stirring up discussion and commotion in our Indian Empire.

MR. CONYBEARE: On what evidence?

*SIR J. GORST: I refer the hon. Member to the Regulation, which places the discretion in the hands of the Government of India. It says that—

> "When the considerations stated in the Preamble of this Regulation require it, the Governor in Council has power," &c.

Considerations of public safety required it. What evidence has the hon. Member that the Governor in Council has exercised his power unwisely or corruptly in this matter? Is the House of Commons going to act without Papers, without any information whatever, and merely upon the *ipse dixit* of the hon. Member for Camborne? Is it, in the absence of the necessary material, going to discuss whether the Government of India have exercised the very great power conferred upon it by Statute, with proper discretion or not? If the House of Commons wishes to discuss it; if any hon. Member raises a Motion on the subject, and discusses it when the Papers have been received from India, of course it will be my duty to defend the Government of India in this House. But I strongly appeal to this House not to discuss any matter of the kind, unless it has some *primâ facie* evidence brought forward to show that the Government of India was animated by some personal or corrupt motive. I ask the House to leave the discretion where the law has put it, with the Government of India, and not to discuss whether their discretion has been properly exercised or not, in the absence of information. Abdul Rasoul was arrested according to law; the arrest was made on the responsibility of the Government of India; and we have no means at present of knowing whether the discretion of the Government of India was rightly or wrongly exercised. With regard to the second question: Was he deported? The hon. Member has used the word deported in order to show that the man was sent to

London against his will, whereas he was sent at his own request, and was not deported. Fortunately, by a piece of very good fortune, there has been transmitted from India a copy of the Petition which was presented from the Sheikh Abdul Rasoul to Mr. Mackenzie, Chief Commissioner of the Central Provinces, for his release. This is a remarkable document, and it disposes so entirely of the ingenious conjectures of the hon. Member for Camborne, that the House will permit me to read it—

> "I take the liberty of craving your gracious attention to my following poor Petition. In short, His Highness Maharajah Dhuleep Singh, who is my old friend and master, has received pardon of Her Most Gracious Majesty the Empress of India. I also lay before your honour my humble Petition, that you will be pleased to solicit my release. If I should be released I give my most solemn undertaking that I will in no way in future do or join in anything against the Government of Her Most Gracious Majesty. If I should be graciously released I will request the Committee to return to my native place, Srinigar, in Kashmir. On the other hand, if the Government shall not accept my return to Kashmir, then I request to be sent back to England. I am without funds or means of paying my passage, or any means of support. His Highness the Maharajah Dhuleep Singh would supply the necessary funds for my passage to England, and for my future a sufficient year's salary."

The hon. Member for Camborne spoke of the cruelty of the Government of India in landing a man at London Docks without a penny for his support. But the Government of India, when they sent him, had reason to suppose that if he got back to London His Highness the Maharajah Dhuleep Singh would support him. On arrival, however, Abdul Rasoul did not go to his old friend and master Dhuleep Singh, but he went to the hon. Member for Camborne, who has treated him ever since as having a grievance. That leads me to a third point, namely; What is to be done with this man? Well, as the hon. Member for Camborne himself admits there was this unfortunate man over here in London without a penny to call his own, longing to get back to his native home at Srinigar in Kashmir, from which he had been absent for a period of 35 years. Taking him at his word, my noble Friend the Secretary of State said to the man, "If you desire it I will pay your passage back to India. I will pay the debts you have contracted in London, and I will also guarantee that the Government of India shall not arrest you when you get there, and that you shall be permitted to go to your native home at Srinigar." But the moment this was said the man turned completely round. I do not know whether it was at the instigation of the hon. Gentleman the Member for Camborne, but at any rate he said "I will not go without compensation." Matters were thus brought to a deadlock.

Mr. CONYBEARE: I beg the hon. Gentleman's pardon. I did not make any such suggestion.

*Sir J. GORST: The hon. Gentleman may take it that that remark was merely in the nature of a flower of rhetoric. At all events, we have the fact that this man, Abdul Rasoul, was here in London expressing the desire to get back to his native place, and that when made acquainted with that fact the Secretary of State was ready and willing to pay his fare home, and that the moment this offer was made to him the man refused to go because he wanted to get compensation, and thought he might be able to get it through the medium of the hon. Gentleman the Member for Camborne and the House of Commons. Now, Sir, it has been said that the offer made by the Secretary of State to send the man back to Kashmir was a proof that my noble Friend knew that he had not been justly treated. I reply that it was nothing of the kind. The Secretary of State has the most perfect confidence in the discretion of the Government of India; and when, in consideration of the altered circumstances, the Government of India expressed no objection to the man's return, the Secretary of State was glad to help him to return; just as when he found that the Government of India were of opinion that the man was a danger to the peace of India, he had no doubt the discretion of the Government of India had been very properly exercised in arresting him.

Mr. CONYBEARE: What was the evidence?

*Sir J. GORST: That I have declined, and must decline, to state. I have not got the evidence here, and if I had I should certainly decline to state it unless I were called upon by an overwhelming majority of the Members of this House to do so. I believe, however, that the majority of Members in this House are sufficiently inspired with good sense that they would not ask for that evidence unless they believed that it was of a character which it was absolutely necessary to produce. With regard to the question of compensation which has been raised in this case, I may say at once that that claim is not one which I have shown the slightest desire or inclination to shirk. All I can say on that subject is, that if it is brought forward in a proper manner it shall be fully considered. But the proper course to take would be, in the first instance, to bring the claim before the Government of India, who are acquainted with all the facts of the case. Abdul Rasoul must petition the Government of India for compensation, and put forward in support of this claim the grounds of injustice and ill-treatment upon which he founds it, and if, on full consideration of all the circumstances, the Government of India should refuse his request, he will then have a right to appeal to the Secretary of State, by whom, I may say, in answer to the rhetoric of the hon. Gentleman the Member for Camborne, his application will be fully and fairly considered. This is what the man has to do if he wants compensation. There is no such thing in the present state of the case as getting compensation from the India Office. We could only give the man compensation on an appeal from a refusal of the Government of India. The hon. Member for Camborne is derisive of this point, but I would remind him that you do not tell a man to go direct to the House of Lords for justice, you only go there by way of appeal. In the same way, you cannot allow a man to apply for compensation directly to the Secretary of State. He must, in the first instance, submit his case to those who are acquainted with the circumstances. I have now dealt with the case as it has been brought before the House as shortly as I could consistently with the facts, and I hope I have said sufficient to convince this House, that the Secretary of State is desirous of doing everything he possibly can that is not only fair but even generous in this matter; that there is no wish on his part, or on the part of the Government of India, to oppress or persecute Abdul Rasoul, and that if that person had only placed himself in the hands of good advisers—instead of his case being now made the occasion for a Motion for the Adjournment of the House, and used for Parliamentary purposes of Party—if this native had been advised by those whom he consulted to accept the offer made by the Secretary of State and had gone back to India, he would have been very much happier and better off than he is likely to be while he remains in the hands of his present advisers.

(5.55.) Mr. MAC NEILL (Donegal, S.): I am sure that hon. Members on both sides of the House are very glad to see the right hon. Gentleman the Under Secretary of State for India back again in his place in better health and vigour. Having said so much in reference to the right hon. Gentleman himself, I now have in my place in Parliament to make a serious complaint against the Indian Government. Their conduct is, in point of fact, so bad that Irish officials are becoming respectable by comparison. Now, Sir, about 130 years ago — [*Laughter.*] Hon. Gentlemen do not seem to be very fond of ancient history, but I wish to remind them that about 130 years ago the elder Pitt got up in the House of Commons and said—

> "The iniquities of Indian Administration are so rife that they smell from earth to heaven and from heaven to earth again."

Well, Sir, what have we here? We have before us the case of a poor poverty-stricken and a defenceless man. We have that man, by the confession of the Indian Government themselves, arrested on no charge whatever, and not only on no charge, but also on no warrant. He is then kept in gaol for a period of nine months without the shadow of a pretence or any excuse except the mere suspicion which has been communicated to the Indian Government. Let us compare the position of this man to that of the noble Lord the Secretary for India. Lord Cross receives a handsome salary from this country, whereas the average income of an ordinary native of India is something like 1½d. a day. Against this 1½d. Lord Cross is in receipt of £5,000 a year. When this poor, wretched, poverty-stricken man goes to Lord Cross and states his case, and the reasons which induced him to bring it forward, Lord

Cross turns him with contumely from his door. Let us again consider by way of contrast and comparison the amount of personal liberty which is revealed by this transaction as possessed by the natives of India. Why, Sir, if this kind of thing is to go on a man might as well be in Ireland as India. Even the right hon. Gentleman the Under Secretary for India is compelled to admit that that great bulwark of liberty of the subject, the *Habeas Corpus,* has no operation in India. No doubt it is a pleasant confession to hon. Members opposite that there is no *Habeas Corpus* Act in India. But let me recall the facts of this case. For nine months this man was kept in gaol without warrant and without charge. Had he been in England he could have demanded to be brought up under the *Habeas Corpus* Act. According to his own account that man has been deported from his own country to a country where he was perfectly friendless, and where he had no means of support. Why, I ask, will not the right hon. Gentleman the Under Secretary for India lay the evidence in this case before the House? If India is to be retained under the British flag and the British Constitution, why should not the House of Commons, having regard to the interests of the 250,000,000 of people over whom this country exercises the rule, have the Return they ask for laid upon the Table, so that hon. Members might be able to go into the question and form their own judgment upon it? Why, I ask, should not the people of India have afforded to them the same comfort and consolation that are afforded to every oppressed man who has the knowledge that his grievance will be justly and properly investigated, and that injustice will be exposed before the British public. The right hon. Gentleman has referred at great length to the Regulations of 1827 having been endorsed by Parliament. No doubt that is so, but I would point out to the House that those Regulations were made 30 years before the East India Company were disestablished, and that they were made by a Board of Control, which was practically outside the control of the House of Commons. There was undoubtedly a revision of these Regulations every 30 years, but that, after all, was merely a formal matter; and even though they were endorsed by the House of Commons, they were endorsed by the House of Commons of 1828, which was very differently composed to the present House of Commons. If the right hon. Gentleman the Under Secretary for Foreign Affairs should think it necessary to speak on this question, he may tell me that those Regulations were Bombay Regulations, and that the right hon. Gentleman the Under Secretary for India, whose administration I admit is marked with great ability, is not in Bombay. But I would ask the right hon. Gentleman the Foreign Under Secretary whether he will get up and say he ever knew of a single case in which a European was arrested under such circumstances, and by the exercise of such powers as these. It may seem a strange term to use if I speak of "bullying the natives," but, Sir, I do use that phrase, and I find it has been used by no less a person than Lord Lytton, when holding the high office of Governor General of India. Lord Lytton is reported to have said in a private letter, and the statement has never been denied, that he, as Governor General; had only two courses to pursue—"to cheat them or to bully them, and he preferred to cheat them." Will Lord Lytton deny that he said this? The question may be put to him in Paris by telegraph to-morrow, and an answer can easily be obtained if the Government wish to obtain it. Now, here is a case in which a man has been absolutely bullied, and only on suspicion of having taken part with Dhuleep Singh; but when Dhuleep Singh has been forgiven for his part in what took place, his accomplice is kept in prison many months after the principal has been released. The right hon. Gentleman commented upon the document the man wrote. It must be remembered Abdul Rasoul had been in prison many months when he wrote the document, and that people who are imprisoned and who suffer keenly will do almost anything to secure release. I certainly hope my hon. Friend will press his Motion to a Division. It ought to be pressed to a Division if this were only a case involving the liberty of this poor man. I agree with what was once said by a great countryman of my own—Edmund Burke—with reference to India; he said he hoped the time would come when the personal liberty of the subject would be as respected and as secure in the heart of our Indian Possessions as it was in the Strand in the City of London. We govern the people of India and impose on them burdens that we have not ourselves. Mr. Bright once said that the Government of India was a pure despotism. Do we work that despotism for the good of the natives or for our own gain? Her Majesty's Government have tried for four months to suppress this case, and therefore it is, I trust, my hon. Friend will go to a Division. I know very well he will be abused to-morrow morning in the Tory papers; but he will have this satisfaction, that what he has said and what I have said will be read by those by whom we most wish it to be read, namely, by the native populations of India.

*(6.3.) MR. W. McARTHUR (Cornwall, Mid, St. Austell): Had time permitted, I should have found it necessary to differ very widely indeed from the hon. Gentle- who has just sat down, but I want to make a few remarks with reference to what fell from the Under Secretary of State for India. We are not used to hearing from him flowers of rhetoric, but are accustomed to the more solid fodder he is in the habit of giving us in reply to questions and Motions. I am bound to say, I think that on the whole the Under Secretary made out a fairly reasonable case, except in one particular to which I wish to address my observations. I have always been one of those people who, having seen something of native races, appreciate the great difficulty English people have in dealing with them; and I think if there is anything about which this House ought to be most careful, it is in passing votes of indiscriminate censure against the action of Englishmen who very often do their duty under circumstances of very great difficulty. As I say, I do not altogether sympathise with the speech of my hon. Friend (Mr. Mac Neill) after the speech of the Under Secretary; but I think a great deal of harm is done abroad, and very wrong impression often conveyed of Englishmen in authority abroad, by the kind of defence their action receives in this House from responsible Ministers. I do not say whether this man was right, or wrong. I do not intend to argue whether the Regulations are right, or wrong. I am inclined to think they are right. I think it is necessary to make this kind of Regulations in India. But it is unfortunate that the right hon. Gentleman should have chaffed my hon. Friend the Member for Camborne (Mr. Conybeare) because he called attention to the case of a native in India who he thought had been unfairly treated. If there is anything which can excuse a Motion for the Adjournment of the House it is surely the case of some supposed injustice to a native subject of the Queen, because what does our great Empire abroad rest upon? No one will say we can maintain our Empire simply by the number of soldiers we have got. We maintain it in India, as we maintain it elsewhere, because this country has always been able to convince coloured races that in the main our rule is a fair and just rule, and that as far as the English people can provide, and as far as the House of Commons can provide, every native, wherever he lives, will get as fair treatment from English officials as he would if he were an Englishman. But if you are going to scoff at everybody who calls attention to a case of injustice, if you are going to protest against giving the House of Commons any information on these subjects, it seems to me you are going the best way to convince every native in India and throughout the world that you have got something to conceal and that you are afraid to explain. I put it to the Under Secretary whether he would not have saved a great deal of time by giving us a frank and straightforward answer when he was first asked for the information? I assure the right hon. Gentleman that there is no desire on the part of hon. Members who put questions on Indian and colonial matters to be regarded as opposed to him. We ask questions because we are anxious for information, and I do not think it ought to be thought we ask them for the purpose of damaging the Government, or of making Party capital. Indian and Colonial questions are not Party questions, and when we on this side interrogate the Under Secretary, we do not want flowers of rhetoric from him, but frank and plain answers. If he gives us

such answers he may rest assured we shall not make Party capital out of them, but these questions should be fully and fairly answered, so that we may feel satisfied that justice has been done.

Question put, and negatived.

ORDERS OF THE DAY.

TAXES (REGULATION OF REMUNERATION) BILL (*changed from* "ASSESSMENT OF TAXES (REGULATION OF REMUNERATION BILL.")—(No. 221.)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

(6.10.) MR. BARTLEY (Islington, N.): I should like to take the opportunity to express my appreciation of the great step forward which the passing of this Bill marks, because it puts an end to the whole system of poundage in the collection of Income Tax. I thank the Government very sincerely for having fulfilled their pledge to carry this great reform. Under this Bill neither assessors of Income Tax, collectors, nor clerks will be financially interested in the amount they collect or in the assessments they arrange.

Question put, and agreed to.

Bill read the third time, and passed.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

*(6.16.) MR. KEAY (Elgin and Nairn): Before proceeding to conclude the remarks which I commenced on Tuesday, I desire to be permitted to call attention to one fact, and that is that I was unable to finish my speech on Tuesday evening solely owing to the obstruction of the Government and the young lions of the Tory Party. It will be in the recollection of the Committee that a great deal of time was wasted in consequence of the refusal of the Government to afford information on the most essential and fundamental points. The arithmetic of the Government is all wrong, and they now know it. They consequently wish to avoid discussion, trusting implicitly to the mechanical majority which they usually keep at hand in the pellucid atmosphere of the smoking room. I only wish they would keep it there, and not bring it into the House of Commons to disturb the calm deliberations of hon. Members. The Amendment is to strike out certain words with the view of preventing the general assets of the taxpayers of this country from being pledged to secure the Land Stock. I have already pointed out to the Committee that the proposal in this Bill, namely, that the purchase price shall be a capitalisation of the gross rent of the holdings, and that the instalment payable shall be a fixed one for 49 years, must reduce the tenant purchasers to bankruptcy, but the Government, in spite of the recommendation of their own Royal Commission which sat in 1887, and which recommended that judicial rents should be revisable every five years, now recommend that rents should not be revisable for 49 years. The Return, which on the Motion of the hon. Member for the Rushcliffe Division (Mr. J. E. Ellis) has been issued with regard to the operations under the Ashbourne Acts, shows that a considerable number of tenants have defaulted already. I find that one poor man was made to buy at as much as 38 years' purchase, another at 37½ years, and so on. I will not go into the details of the Return, but simply remind the Committee that the average price of purchase was 25 years. What does this mean? It means simply that the instalment to be paid to the State on the extortionate sale price is as high as the Poor Law valuation. That will not be denied. These tenants who are now defaulting, and whose instalments are being paid by the British taxpayer, have defaulted because their instalments instead of being reduced from £100 to £68, which the right hon. Gentleman assured us was the scheme of his Bill——

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I never said anything of the kind.

*MR. KEAY: I am surprised to hear the right hon. Gentleman dispute it. He certainly took a supposititious average of 17 years' purchase, but that is exactly where my point comes in. I say that when I take an average of the actual cases of default under the Ashbourne Acts, the average turns out to be, not 17 years, but 25 years' purchase. The right hon. Gentleman said that looking to the general average of 17 years' purchase at which the tenants would get their land, the result would be that the tenants who paid £100 now as rent would pay £68 of normal annuity under the Bill. I hope I have convinced the right hon. Gentleman that I am right, and he is wrong, in regard to the words he used on 24th March of last year. There is not a single clause in this Bill that is of a character to check or prevent the indefinite enlargement of this evil of the systematic over-valuation of holdings, and the consequent bankruptcy of the tenants. That I hold to be a most urgent reason why the risk of the British taxpayer should be eliminated from this Bill. Moreover, the Consolidated Fund is brought in for the purpose of making a "temporary advance." I hold that in the scheme of the right hon. Gentleman's Bill the idea of a temporary advance is perfectly illusory, impossible, and absurd. I am prepared, in the face of the right hon. Gentleman and of the Committee, to prove that fact by the hardest possible arithmetic. We must consider what the word "temporary" means, and I would urge gentlemen on the Treasury Bench to analyse it and tell us what it means. I endeavoured in February last to ascertain this by a certain question addressed to the Government. The Chancellor of the Exchequer in his reply to me laid great stress on the alleged temporary character of the advance; so much so, indeed, that he told me I had "suppressed the fact" of its temporary character, and had by so doing suppressed a material fact. He said that the Consolidated Fund would be "at once recouped" from the Guarantee Fund. Now, I say that this is an arithmetical impossibility. The right hon. Gentleman at the instance of my right hon. Friend the Member for Bradford (Mr. Shaw Lefevre) promised a Return showing the working of the Sinking Fund as connected with the Guarantee Fund, and I have that Return here. He first made it for 10 years only, but very kindly, at our suggestion, he extended it to 30 years. I am sorry to say, however, that he positively declined to extend it to the whole 49 years, although I represented to him that the fresh advances to be made increased between the 30th and the 49th year immensely more than between the 1st and 30th year. I have, however, made a Return for the 49 years myself. The right hon. Gentleman said it would be very costly to produce such a Return, but I had it made by a clerk at an expenditure of about £2. The right hon. Gentleman shows, however, on page 4 of his own Return, that at the end of the 30th year there will be due from the tenant purchasers instalments amounting to £1,845,000. But the whole of the Guarantee Fund of the right hon. Gentleman has a fixed annual income for 49 years of, in round numbers, £1,200,000. The matter is one, therefore, of simple subtraction: you have only to subtract £1,200,000 from £1,845,000, and the result is a deficit of £645,000 arising in the 30th year alone, which deficit the Consolidated Fund has got to pay. The right hon. Gentleman has asserted that the Guarantee Fund covers all the risk, and that these advances from the Consolidated Fund are to be merely temporary. But assuming that he can get in the whole of the £1,200,000, that is, both the cash portion and the contingent portion of the Guarantee Fund, a so-called temporary advance will have to be made from the Consolidated Fund of £645,000 on that year's operations, and each year the deficit thus made up will be added to. I ask the Chancellor of the Exchequer to solve this arithmetical puzzle arising out of his own Bill. I say the Government are declaring that they are going to do impossibilities. I will take the figures a step further. In the 40th year, supposing repudiation does not take place till then, the deficit will have risen from £645,000 to £1,055,000 on that 40th year's transactions alone, and thus the Consolidated Fund will have to go on increasing its advances year by year until at the end of the 49th year the sum owing to it will be something like £10,000,000 sterling, or even double that amount, if the re-lending is still continued. I hope I have made myself clear to the right hon. Gentleman. As he cannot make up these vast yearly deficits out of the current year's income of the Guarantee Fund the deficit in the Consolidated Fund will necessarily increase year by year, instead of being temporary and reducible, as asserted by this clause. I ventured the other night to say that the right hon. Gentleman was disregarding the old saying that it was impossible to put a quart of water into a pint pot, but the Government hydraulic machinery is so powerful that he has apparently succeeded in getting it in, and now, in this clause, he is preparing to take it out again. There is only one remark to be made with regard to this network of securities, and that is that it is a network in the sense that a net holds no water. But another, and in fact the crowning, monstrosity of this enormous finanical scheme is exposed by my Amendment, for the words which I propose to leave out must be read alongside of Clause 6, Sub-section 3. I think the effect of so reading them will surprise the Committee very much, and I think it would have surprised the right hon. Gentleman had I not already taken so much trouble to educate him. The advances which are to be made from the Consolidated Fund are necessary to pay up all the different Sinking Funds as well as to pay the dividends to the public. Supposing that the tenants have, through famine or repudiation, committed default, and the Consolidated Fund has had at the end of the 40th year to provide a sum of £1,055,000, the Bill provides that while the British taxpayer is to go on year after year meeting the deficits and swelling the Sinking Funds with new British money, this new money is to be re-lent in the same way to another set of rotten landlords and rotten tenants year by year. I am glad to see the right hon. Gentleman is able to laugh at this. I asked a plain question on the subject and got a straightforward, honest answer. I asked if it were true that the new moneys thus forced from the British taxpayer were to be re-lent, and the Chancellor of the Exchequer on the 5th February admitted that it was so, but qualified the answer by what? By the astounding statement that it would always be optional to and not compulsory on the Treasury to sanction these additional advances of the resources of the British nation. It actually comes to this, therefore, that the House of Commons is asked to resign to the Treasury its duty of looking after the public money. I decline to be a party to any such breach of trust. And I believe that no one in this House would dare to face his constituents on such an issue. We know that all this is painful to the Chief Secretary to listen to, because he has not got his young lions here to interrupt me, and my task of explaining the Amendment has consequently been made so much the easier. If the right hon. Gentleman will give me a fair hearing and will keep his young lions in order, I will promise to occupy as little time as possible in discussing this Bill. I think that even he will admit that this is a grave matter. As all reply has been deliberately withheld up to this time, I shall, in order to secure an answer on the present occasion, conclude with these four pointed questions to the Chief Secretary. (1) Is there any precedent for purchasing a fixed property at a price based on capitalising the gross instead of the net annual income, and can any such purchase be a safe transaction to be guaranteed by the State? (2) Have not the defaulters under the Ashbourne Acts, by paying an average of 25 years' purchase, now saddled themselves with instalments to the State about 20 per cent. higher than they would have paid of judicial rent to their landlord if they had not bought at all, but instead of buying had gone into the Land Court? Hon. Members opposite may laugh at that, but the right hon. Gentleman will not deny that the thesis on which he has all along defended his Bill is that the tenants will not fail to pay because they are getting £100 of rent lowered down to £68 of annuity. But Returns show that the defaulting tenants have been made to pay as annuity to the State £100; whereas, if they had gone into the Land Court and got judicial rents fixed, they would only have had to pay £80. My third question is: How will the £645,000, which is the right hon. Gentleman's admitted deficit arising on the transactions of the

30th year, be "at once recouped?" (4) Is it not the fact that, under this clause, read with Clause 6, Sub-section 3, the Bill provides for a continued further advance going on equivalent to the capital of the Sinking Funds, even if these Sinking Funds are filled up year by year entirely by yearly drafts on the Consolidated Fund to pay the default?

Amendment proposed, in page 1, line 26, to leave out from the word "paid," to the word "out," in page 2, line 1.—(*Mr. Keay.*)

Question proposed, "That the words 'as a temporary advance out' stand part of the Clause."

(6.49.) **Mr. A. J. BALFOUR**: The Committee have just heard from the hon. Member a recapitulation of a speech made before, garnished with a large number of abusive comments on the Government for not having dealt with the speech on a previous occasion. The hon. Member, who is not a very old Member of this House, must be aware that undoubtedly it is the duty of the Government to lay before the Committee arguments in support of their Bill, but it is not their duty to take *seriatim* every point, good, bad, or indifferent—and the hon. Member's points are usually bad or indifferent—and to waste time discussing at length, not the case itself, but certain aspects of it which the hon. Member who made the speech thinks are adequate to the merit of his own performance. The Amendment, with regard to which it has pleased the hon. Member to read the Government a lecture, alleges want of security to the British taxpayer. That question was discussed on the First Reading of the Bill last year, on the Second Reading also, on the introduction of the Bill this year, and on an Amendment brought forward earlier in this Committee. If any point has been thoroughly threshed out from beginning to end it has been this. Everything that can be said on the point has been said; and, therefore, I do not think it necessary to go into the character of the security again. I may, however, point out one or two of the grosser fallacies into which the hon. Member appears to have fallen. In the first place, the hon. Member says it is impossible that a proper price should be given for holdings estimated on a gross and not a net rental. The business of the Land Commissioners is to see that the price does not exceed the fair amount which the tenant may properly give for the holding, and it does not in the least matter whether they calculate on the gross rent or on the net rent. They cannot be compelled to adopt as the basis of their calculations the net rental as defined by the right hon. Member for Mid Lothian in the Bill of 1886. The hon. Member has brought up an ancient mare's nest which troubled him much last year. He seems to think that directly repayments begin the solvency of the Guarantee Fund will be imperilled. This cannot be so. In proportion as the loans are paid they are let out again, and the original security is not impaired. I do not think the hon. Member raised any other point which it is worth while troubling the House with.

***Mr. KEAY**: The right hon. Gentleman has not said how the £645,000 is to be recouped.

Mr. A. J. BALFOUR: If the hon. Member will reflect — if the security provided for the £30,000,000 is sufficient, it will be equally good for the advances to be made accordingly as the original loan is repaid. The question whether or not it should be a continuous operation does not arise under this clause. I hope I have satisfied the hon. Member.

***Mr. KEAY**: No.

Mr. A. J. BALFOUR: At any rate, I have given him the best information in my power. No doubt it is my own stupidity which is responsible, if he does not understand the explanation.

(6.56.) **Mr. J. MORLEY** (Newcastle-upon-Tyne): There was one incidental remark made by the right hon. Gentleman which I considered to be surprising in its character. If the right hon. Gentleman has said one thing more often than another in the course of the present Parliament in connection with land purchase it is that the Land Commissioners are to regard nothing but security. But now the right hon. Gentleman says it is the duty and the business of the Commissioners to see that a fair price or value is given for the land.

Mr. A. J. BALFOUR: What I meant was this: The hon. Member for the Elgin Burghs says that as the holdings in Ireland are sold at the gross rent this is a method always leading to a high price. I replied to the hon. Member that this would not be the case, because it would be the business of the Commissioners to see that the security was ample. My speech must be taken in connection with the speech I answered, and it has no other meaning.

Mr. J. MORLEY: If the right hon. Gentleman means security he——

Mr. A. J. BALFOUR: The whole point of the Debate is in regard to security.

Mr. J. MORLEY: The right hon. Gentleman said that it was the business of the Commissioners to see that a fair price or value was given.

Mr. A. J. BALFOUR: I should have said, to see that no excessive price or value was given.

Mr. J. MORLEY: But whether fair price or excessive price, it is one of the duties of the Commissioners to have regard to the price. He may have said it by inadvertence. I submit that it is a denial of the language used by the right hon. Gentleman during the course of the present Parliament.

Mr. A. J. BALFOUR: I may have used the phrase, but the duty of the Land Commissioners is this: They have to see that no more money is advanced on the holdings than it will properly bear. If I did not convey that meaning I regret it. I hope that I have now made it clear.

*(6.59.) **Sir G. CAMPBELL** (Kirkcaldy, &c.): I shall support the Amendment, not merely on the grounds put forward by the Mover, but on the broad ground also that I object altogether to bleeding the British taxpayer in the last resort. The *crux* of the whole matter is the security offered by the British taxpayer. It is a tortuous and unintelligible Bill, and this peculiarity is particularly manifest in this clause. This liability of the British taxpayer is, I find, here expressed indirectly as it were, and I may say by surprise, in this apparently small provision in regard to temporary advances. If, under certain circumstances, the Land Purchase Account should be insufficient, then payments to the extent of the deficiency are to be made as a temporary advance from the Consolidated Fund, and every such advance shall be repaid to the Consolidated Fund out of the Guarantee Fund as provided by this Act. I have searched the Bill through from beginning to end, and I cannot find in any other shape any arrangement in regard to these British advances. What I understand is that the British taxpayer is to make these temporary advances, and get the money back the best way he can. We are asked by this unobtrusive, innocent-looking clause to accept all the liability, and I think we are bound to take good care that we understand the effect of it and the enormous liability it brings upon the British taxpayer. It is a very serious clause. What does it mean? Two or three irremovable Commissioners are to have a statutory right to ladle out enormous sums from the Consolidated Fund for the benefit of Irish landlords and tenants. That is the meaning of the clause, and I think we should fully understand this before we pass it. I daresay these Land Commissioners—Irishmen as they are—are very respectable men, but they are Irishmen; and they would be very degenerate Irishmen if they did not ladle out this British money with a liberal hand when Parliament has entrusted them with this power under this innocent-looking clause. I confess I am rather anxious in my mind when I find the Bill does not meet with more resistance. Irish Members have accepted the Bill, and the only Amendments they will propose, so far as I can gather, are in the direction of asking for more, of doing away with the faint and illusory Irish security the Bill contains, and throwing the whole of the risk upon the British taxpayer. I must say I hoped that this tremendous burden on the British taxpayer would have been vigorously resisted by the leaders of our Party. I was surprised and distressed when the right hon. Gentleman the Member for Newcastle (Mr. Morley) got up just now to speak to the Amendment to find that he only raised one partial point. I hoped he was going to denounce altogether this proposal to put this

enormous liability upon the British taxpayer, but unfortunately he has done nothing of the kind.

MR. J. MORLEY: It has been settled before.

*SIR G. CAMPBELL: My right hon. Friend says it is settled, but I think he accepts that a great deal too easily. We are told of preliminary Resolutions that do not bind the House to anything, and I think this point is not yet settled; it is to be settled by the clause at which we have arrived. I was in hopes that this portion of the Bill would have been vigorously resisted, but I find my right hon. Friend and other right hon. Gentlemen seem to be very easily satisfied with the belief that this question has been settled by a previous vote of the House and do not care to fight it vigorously, as I hoped and expected they would. But while I find so little resistance on the part of our leaders, I cannot help having some faint suspicion that they think that the passing of this Bill may in the future make their course easier; and leading up to their proposals in 1886, which the constituencies so strenuously resisted, I am inclined to think that if £30,000,000 or £40,000,000 are added to the Ashbourne Act, we may find that £50,000,000 or £60,000,000 will have gone for the benefit of the landlord party; and that when the right hon. Gentleman (Mr. Gladstone) returns to power, as we hope he will, and comes to deal with the problem of Home Rule, perhaps we may find in the Home Rule Bill some innocent little clause enabling the remaining Irish landlords to claim the same privileges already given to many of them under the Ashbourne Act and by the Bill now before us.

THE CHAIRMAN: The hon. Member is travelling very far beyond the immediate Amendment before the Committee. I may also take the opportunity of pointing out to the hon. Members for Kilkenny and Cavan that their Amendments, which are for the omission of the same words, should be discussed at the same time as this.

*SIR G. CAMPBELL: The Amendment before us is to omit the words which authorise these temporary advances out of the Consolidated Fund in case of any deficiency in the payment of these loans, and in that view I venture to submit that that is not a process which will really settle this land question as we were told it might be settled. The land question will always be with us. But we can do this by the Bill: enable landlords who do not like Home Rule in Ireland to sell their estates and clear out of the country.

THE CHAIRMAN: Instead of addressing himself to the Amendment, the hon. Member is discussing the principle of the Bill.

*SIR G. CAMPBELL: I really wish to confine myself to what seems to me to be the principle of the Bill, the burden laid upon the British taxpayer. I venture to think that is the backbone of the Bill contained in the clause we are now discussing. I am opposed to that burden. I am very much opposed to it, even while we retain the power of coercing Irish tenants to repay the advances; but I confess I am still more opposed to it in the view of a Home Rule system, under which we shall lose that power of coercion to compel payment. I am not only opposed to the clause in the Bill which throws such an enormous burden upon the British taxpayer, but I am also uneasy in my mind because the proposal is not more vigorously resisted by our Front Bench, for I am afraid it might lead to the burden being increased when we come to the consideration of Home Rule, and the appropriation of £150,000,000 or £200,000,000 to the object of enabling Irish landlords to clear out of the country.

(7.10.) MR. SEXTON (Belfast, W.): With reference to your ruling, Sir, as to the several Amendments, I submit to you that the Amendment of my hon. Friend (Mr. Chance) comes in after the word "as," in the last line, and he moves the omission of words for the purpose of proposing the insertion of words having directly the contrary effect of those proposed by the hon. Member for Elgin, who wishes to discharge the Consolidated Fund of all liability. My hon. Friend desires to place the liability, in case of deficiency, on the Consolidated Fund.

THE CHAIRMAN: It is quite true that the hon. Member for Kilkenny wished to insert words after "as," but that insertion in that line would make nonsense of the clause. It is associated with words in a subsequent Amendment, but his proposal to strike out the words in reference to the temporary advance is the same as that of the hon. Member for Cavan. Although the proposals after the striking out are opposite in their sense, the Debate must take place on the proposal to strike out the words.

(7.11.) MR. CHANCE (Kilkenny, S.): I must have made a mistake in the form of my Amendment. It was not intended to strike out the word "as," but, adopting that, to go on with the words I propose. I submit that my Amendment has a totally different object, and I would suggest that, as a matter of form, the question should be the retention of the word "as."

THE CHAIRMAN: It is not at all necessary. The real point is whether the words "temporary advance" should be inserted, and whether the advance should be temporary or perpetual. The question of omission must be the subject of our Debate.

*(7.12.) MR. KNOX (Cavan, W.): The object of my Amendment is not, as that of the hon. Member for Elgin, to prevent any advance from the Consolidated Fund, but to substitute a permanent contribution for a temporary advance. My object is to prevent any contribution being made from Irish local resources. There is a difficulty which arises owing to the wording of the clause; and though the Amendment might come in on the first line of the next page, if these words remain in the clause, it becomes nonsense, so that I am obliged first to move the omission of these words.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): May I suggest to the hon. Member that he might attain his object by moving an Amendment to Clause 4?

*MR. KNOX: The right hon. Gentleman mistakes the meaning of my Amendment. We object not merely to the contingent guarantee, but to all the local Irish guarantees; and that is the point we want to raise.

Mr. Courtney

THE CHAIRMAN: The hon. Member wishes to provide that the payments shall be made once and finally out of the Consolidated Fund; and that is secured by leaving out the words "temporary advance;" and though the propositions move in divergent directions, they must be discussed on the omission of the same words. The hon. Member is now entitled to discuss his.

(7.15.) MR. CHANCE: I regret that it is necessary to debate two distinct propositions upon one Amendment, but it cannot be helped, and illustrates the great difficulty Members have in dealing with these matters of a highly technical character; and the Bill is drawn in a manner that does not offer facilities for discussion, and really two sets of Members whose objects are completely different are compelled to go into the same Lobby. My proposal is an exceedingly simple one; but I am under the difficulty that, while my Motion is to insert certain words, the Committee are now only cognisant of the Motion for the omission of certain words with a wholly different object to mine. My proposal is an exceedingly simple one, and I would recommend the Government to consider carefully before rejecting it. The words I would propose would come in after the word "as," and run as follows:—

> "That is to say, out of the guarantee deposits in the first place provided, and if this should prove insufficient, then by a contribution from the Consolidated Fund."

The effect will be to provide that any deficiency which may arise shall be borne by the Consolidated Fund, and to strike away once for all the whole provision for local guarantees. That will leave the Bill precisely in the same position as the law stands under the Ashbourne Acts, with the one exception that, instead of advances in cash, the Chancellor of the Exchequer will advance Two and Three-quarter per Cent. Stock. I want to know why the Government have departed from the Ashbourne Acts in this matter and proposed this system of checks. It was a Conservative Government which passed those Acts, and they always maintain that they are a success. The distinction which is now made is in favour of the State. The tenant under the Ashbourne Acts gets £100 in gold and pays back £100 in gold. But under this Bill he will not get £100 worth of Stock, but only the value of £100 Stock in the open market, which may be 98½ or 99. Therefore the National Debt Commissioners, if they purchase this Stock at anything under par, will gain by it.

(7.20.) Colonel NOLAN (Galway, N.): I am glad the hon. Member seems to have come round to my view that the higher the Stock stands the better for the tenant. Now, the hon. Member for Elgin has proposed an Amendment which is extremly bad for the tenants, and the hon. Member for Kilkenny intends to support it. That is not very consistent with the argument of the hon. Member for Kilkenny, that any deficiency ought to be borne by the Consolidated Fund. It appears to me that the hon. Member should have given notice of his Amendment before the hon. Member for Elgin. If an Amendment is bad I would vote against it, and I am not prepared to vote for it because there is a good one which cannot be put. If the hon. Member for Cavan can move his Amendment later on in Committee or on the Report stage I shall be glad, though, I think, it rather cuts at the whole machinery of the Bill, and something else would have to be substituted.

(7.31.) Mr. LABOUCHERE (Northampton): The hon. Member is in the proverbial difficulty in this matter. He cannot be in two places at the same time—both in the "Aye" Lobby and the "No" Lobby. I think it is the duty of all on this side of the House to recognise the great debt of gratitude we owe to the hon. Member for Elgin and Nairn (Mr. Keay). I thought at first the Bill was a bad Bill, but every time my hon. Friend gets up I am more conclusively convinced that it is an execrable one. My hon. Friend has been a great deal in India, engaged in financial transactions there. He has had a great deal to do with the Hindoos. The Hindoos could not get the better of my hon. Friend, so that I can understand the Chief Secretary and the Chancellor of the Exchequer giving up the attempt to answer the hon. Member as a bad job.

Mr. A. J. BALFOUR: Hear, hear!

Mr. LABOUCHERE: The right hon. Gentleman says "hear, hear!" He gives it up. He says he cannot answer my hon. Friend. The right hon. Gentleman used a most extraordinary argument in reply to the able and exhaustive speech of my hon. Friend. He said that when a Minister prepared a Bill it was his business to lay down certain facts and not to reply to arguments made against them; and, therefore, he says he will not reply to the important facts and questions addressed to him by my hon. Friend. He went even further. When the hon. Member for Kirkcaldy was making a very valuable contribution to the discussion, the right hon. Gentleman opposite said "Divide." Apparently the Government do not intend that this important and complicated Bill shall be discussed. When cogent arguments are urged against certain provisions of the measure the right hon. Gentleman calls "Divide," as much as to say, "I despise you so much that I am not going to argue with you." That is not the way in which a Bill like this should be dealt with. One thing the right hon. Gentleman did say which shows me that my hon. Friend's observations did have some effect upon him. Previously he has stated that the estimate is to be made on the net rental, but to-day, when the hon. Member insisted that it is on the gross rental, the right hon. Gentleman admitted that that was so. He contradicts himself. He says at one time that the thing is black and at another that it is white, just to suit the exigencies of his position. For my part I hold that the views of the hon. Member for Elgin are very sound, and if the hon. Member goes to a Division I shall support him as a humble follower. I promise to do the same every time the hon. Member, who so thoroughly understands the Bill and whose views with regard to it are so sound, brings forward an Amendment.

(7.36.) Mr. A. J. BALFOUR: I must congratulate the hon. Member for Northampton on his new leader. The Committee, I think, are now in an awkward position, because those who wish to throw the loss caused by any possible default upon the Exchequer, and those who wish to throw it upon the locality concerned, are apparently going to vote in the same Lobby. I address myself to the Members of the first Party—those who wish to throw the default, if default there be, upon the Exchequer. The hon. Member for South Kilkenny asks why the Government have not adopted the provisions of the Ashbourne Acts in the present instance. There are two reasons why they have not done so. When the last Ashbourne Act was passed pledges of the most specific character were given by the Government that the £5,000,000 asked for should be the last £5,000,000 that the House would be asked to grant on the terms specified in the measure. Therefore, if the Government were to take the course suggested by the hon. Member they would violate their pledges. But there is a second reason. If hon. Members desire to have Land Purchase in Ireland they can only have it by assistance from the British Exchequer. The Member for Bradford told us that money borrowed on Irish security could not be borrowed for less than 5 per cent., and that being so an Exchequer guarantee is necessary. Well, it is impossible for the British Exchequer to give this additional loan of £30,000,000, except upon terms which will absolutely secure the public from loss. I believe that Ireland can and will pay, and that there will not be any serious conspiracy against the payment of the instalments; but my own opinion upon the point is not in question. The fact which has to be faced is, that the British public will not pledge its security for the purchase of Irish land except upon terms that will safeguard it against loss. However much hon. Members opposite may desire to remove all risk from the shoulders of the local taxpayer, and to put it upon the shoulders of the British taxpayer, the idea does not come within the sphere of practical politics. The hon. Member put this dilemma to me. He said, "If the tenants do not pay it will be because the Land Purchase Commissioners have permitted too large a price to be given for the holdings." Without going into controversial matter, I would say that the hon. Member must be aware that, rightly or wrongly, the British public are of opinion that there is such a thing possible in Ireland as conspiracy against the payment of rent and annuities. That is possible, but not probable.

Mr. CHANCE: The guarantee deposit would intervene to prevent loss, and all the Commissioners would have to do would be to make the guarantee large enough. You are deliberately throwing away the best security.

Mr. A. J. BALFOUR: The guarantee deposit could not be made to cover the advance, unless you exact such terms from the landlord as would really prevent sales taking place.

*(7.42.) Mr. KEAY: I think it is my duty to say a few words after the extraordinary statement we have heard from the other side, as to the four points referred to by me. I promise not to jump upon the Chief Secretary now that he is down, and he is undoubtedly "down" now that these financial matters are being discussed. I do not intend to be hard on him. I must, however, say this, that it is too bad for the right hon. Gentleman, when he feels himself in utter despair and confusion, to avail himself of the absurd and ancient doctrine which was written on a brief, "No defence; abuse the plaintiff's attorney." I do not say he was positively offensive, but he was on the verge of it. He certainly went much nearer to it than I have ever done with regard to him. Speaking of my four points, he said, "The hon. Member's points are usually bad points." Now, when the right hon. Gentleman is laboriously engaged in admitting that he cannot reply, it is too absurd for him to abuse my points. If the right hon. Gentleman finds it impossible to reply, the inference is that the points are good points. I may not be able as efficiently to support the prominent position I have been reluctantly compelled to assume in regard to the financial part of this Bill as I should like; but I think it will be admitted, even by hon. Members opposite, that it is absurd to call my points bad points, and to refer to them as "what the hon. Member is pleased to call points." The right hon. Gentleman has been guilty of an erroneous statement in addition to many omissions. He has said that the point as to the

insolvency of the Guarantee Fund, and the certainty of danger to the Consolidated Fund was threshed out in the Debates on the first and Second Reading of the Bill. The right hon. Gentleman is entirely mistaken. [*Cries of* "Divide!"] I, and I only, attempted to raise the question on the Second Reading, knowing that the guarantee portion of the measure was rotten. And what a reception I got! The Under Secretary for India came and sat opposite, below the Gangway, and positively jeered, hoping thereby to discourage me from touching this raw spot. Moreover, I myself was unable to prosecute the argument owing to an error of the right hon. Gentleman the Chief Secretary, who omitted to tell us that the Ashbourne Act moneys had been taken out of this Bill. Later on I obtained the proper figures, and on the main question of the Second Reading I endeavoured to put my case before the House, but was closured. [*Cries of* "Divide!"] The right hon. Gentleman did me the honour to say he despaired of getting the real arithmetical facts of the case into my head. Well, I do not despair of being able to get the arithmetical facts of the case into the head of the right hon. Gentleman. [*Renewed cries of* "Divide!"] I will tell him where the *crux* lies. The Bill is so complex, that the financial part of it is a sort of Frankenstein to the right hon. Gentleman. The point he does not understand is this—and if he gets up the fact it will save him hours in Committee. He truly says that the amount of the first loans will be £30,000,000, that there will be a partial repayment, and that the money repaid will be re-lent, but he utterly forgets that with every re-lending there will be an increase of the aggregate annual amount of the instalments due from the tenant purchasers. He must remember that in connection with the £30,000,000 there is only one Sinking Fund, and that in connection with every annual advance there will have to be another Sinking Fund, all the payments to which will have to come out of the Consolidated Fund in case of default. Does he not see that if you have 49 Sinking Funds all running parallel to each other, all having run for different terms of years, and all demanding that their annual 1 per cent. should be paid into them, it must take more money to fill them up than it would take to fill up the one original Sinking Fund only?

*(7.53.) MR. KNOX: It will be admitted that this matter has not been dealt with from the Irish point of view at inordinate length; and that we are within our rights in asking the House to bear with us while we continue the discussion from that point of view. We have no spmpathy with the attitude of the hon. Member for Elgin on this subject. The hon. Member for Kirkcaldy spoke of us as "Irish" in a tone of unutterable contempt. The word "Irish" seemed to convey to his mind the same meaning as the word "jobbery." He said the Commissioners would be Irishmen, meaning that they might be expected to job away the public money. Well, I must protest against that treatment of Irishmen. I would remind the hon. Member for Elgin and the hon. Member for Kirkcaldy of a story told of Dr. Johnson. It is said that he was once discussing with an Irishman the question of the Union, and he said to the Irishman—

> "Do not unite with us. If we unite with you it will be to rob you. We should have robbed Scotland if she had had anything to take."

I consider that Dr. Johnson's prophecy has come true. The Union has been brought about, and we have been robbed in consequence, and now we want to get back a little of that which has been stolen from us. I do not find Irish Members continually making protests when money is proposed to be spent on Scotland; but Scotch Members are continually raising such protests when it is proposed to give money to Ireland. They protest against the principle of the Bill, although some of them have had the frankness to declare that if it were proposed to apply it to Scotland they would not oppose it. If hon. Gentlemen above the Gangway take up an attitude thoroughly and deliberately selfish we can understand it; but we cannot understand the point of view of hon. Gentlemen who rise to protest against the use of the Imperial guarantee in the Bill while they never raise any protest against the use of Imperial money or guarantee in case of their own improvements. I did not know whether the House is aware that the principle of Imperial guarantee in the case of English allotments was allowed to go through the House without protest from these Benches. The Public Works Loan Commissioners have the right to lend money for the purpose of providing allotments in villages in England—that is to say use Imperial credit. Ireland, as well as England, is to provide allotments for the English agricultural labourers. Well, no Irish Member rose to protest against that, and we do ask that if hon. Gentlemen object to the use of Imperial credit in the manner set forth in the Bill they should, at least, spare us insult at the same time. I support the Amendment from the Irish point of view, and protest against the local guarantees which the Government have devised. Our position on this point is clear. We candidly admit that if we had Home Rule in Ireland it would be necessary for us to deal with the land question out of our own resources. But we protest against having these resources pledged for us while we are denied the right of self-government. The guarantees provided by the Government are described in some quarters as trumpery. It is supposed that they are of no real value. It is supposed that no real damage could be done to the Irish taxpayer. I believe the risk to the taxpayer has been greatly exaggerated by minimising the amount of the Irish security pledged by this Bill, and I believe there is great and imminent risk to the Irish cesspayer in the mortgaging of the rates, and I believe also that the great and imminent risk to the Irish cesspayer in the mortgaging of the rates has likewise been greatly minimised. The Government propose, firstly, that certain cash sums usually paid to Ireland shall be mortgaged without in any way consulting the Local Authorities. The first of these is the Probate Duty Grant. The Probate Duty Grant consists of £5,000 paid annually to the Royal Dublin Society for improving the breed of horses, and also about £200,000, excluding the exempted cities, which is paid partly in relief of the county cess and road rates, and partly in relief of the poor rate. Last Session, in order to explain the Bill of that year, the Government published a Return showing the amount of the resources in each locality in Ireland which are pledged by the Bill. Although those figures may not now be correct, owing to certain changes that have since been made, I may use them for the purposes of argument. I find that the cash portion of the Guarantee Fund amounts to £200,000 of Irish securities. I say it is a serious thing to pledge Irish securities to that amount without consulting the Local Authorities, because they will need the money, and do already grievously need it in many cases. The Chief Secretary as President of the Irish Local Government Board is aware of the great difficulty experienced by the Local Authorities of the West of Ireland in making both ends meet. He knows that in certain cases, Vice-Guardians have had to be appointed because the Poor Law Guardians through no fault of theirs, had found that the Unions were practically insolvent. Of the sum I have mentioned more than half is county cess. There might have been some fairness in it had the poor rate only been charged, because the poor rate is paid partly by landlords and partly by tenants, whereas the county cess is paid only by the tenants. So that, while the landlord gets the major part of the benefit conferred by the Bill, the tenant has to find the greater part of the security. We, therefore, object to this part of the Bill, and we point out that the difficulties attending the collection of the county cess in certain contingencies do not apply to the cash guarantee, because in that case the money, if needed, will come directly from the Probate Grant, and the Local Authorities will simply have to do without it, they not being in a position to resist. We are, however, somewhat reconciled to the contingent portion of the guarantee, because we know that if an attempt were made to raise the money by county cess, at something like an extra 3s. in any Irish county, we could, without difficulty, organise such hostility to that action, that the Government would have to spend more in police and other military forces than the sum they might attempt to recover. We know we have enormous power in our hands in that matter, and can insist that, in the end, the consent of the Irish people shall be given before the money is so taken; but as regards the cash portion of the guarantee, we have not the same security. If the Bill is passed, we shall have no way of resisting the non-payment of these sums; they would simply be stopped. We say, therefore, that this provision ought not to be made, unless, as was proposed by the right hon. Gentleman the Member for Newcastle, it was accompanied by some means of obtaining the assent of the Local Authorities. In introducing the Bill this year, the Chief Secretary suggested, as a possible way of getting the assent of the localities, that after the cash portion of the Guarantee Fund had been paid, the consent of the people might be asked before the contingent portion came to be paid. But we say that this is the wrong way about. We can resist payment of the contingent guarantee, and so in a rough and lawless way show that those resources cannot be mortgaged without our consent, but we cannot resist payment of the cash guarantee. If the form of local assent is to be given at all, it ought to be given to the cash rather than to the contingent portion. We know the Government will not be content to leave the country without control over pauper lunatics, schools, and so forth, coming under the contingent branch; but the greater part of the cash portion may be cut off independently of the Local Authorities. It may be said that these guarantees are more or less on paper only, and will not be called up. I admit if the administration of the Bill were to remain in the hands of the present Land Purchase Commissioners, and we were sure that Mr. McCarthy and Mr. Lynch would not die, and the Chief Secretary would not appoint jobbers in their places, there would be very small need for any of these guarantees. But this may not always be as it is, and if the Bill is jobbed it may hereafter be possible to force the tenants to agree to prices they will not be able to meet, whereby considerable charges may fall upon the guarantee; whether the charge falls on the cash or the contingent portion of the Guarantee Fund the effect will be very serious on the Irish Local Authorities. The Government professes the intention to establish County Councils in Ireland. If these bodies are established it will be necessary for them to borrow money as has already been the case with the County Councils in England. What would be the position of the Irish County Councils when they go to the men they want to borrow money from? Those men would say "you need not come to us, the Government have pledged all your rates beforehand up to 3s. in the £1; you cannot come to us as you have no security to offer." What I ask would be the position of the Public Works Loans Commissioners if this Bill were passed? Could they say the security for their advances would be the same as it has hitherto been? Obviously they could not if the Government mean these guarantees to be on the same footing as other guarantees in the case of the County Authorities, such for instance as those for the light railways. I venture to say it would be impossible for the Local Authorities to borrow money for any purpose whatever. Therefore if the Bill is passed in its present form, the Irish Local Authorities would be unable to improve the country or perform any of the duties as to Public Works which the Local Authorities perform elsewhere. Why does the Government want these provisions? It admits that English credit is due to Ireland. England has maintained the nuisance of Irish landlordism, and it is only fair that England should pay the cost of abating that nuisance. We know that the Government has to satisfy the right hon. Gentleman the Member for West Birmingham, and others who have made pledges on this subject. Hon. Members opposite have broken those pledges long ago, not to allow English credit to be pledged for the purpose of buying out Irish landlords. Having broken them once, I ask them to honestly and frankly break them altogether. You admit that England owes a debt to Ireland in this matter. Why not also admit that the Irish people have a right to demand that the whole working of Local Government in Ireland shall not be hampered by these guarantees to such an extent that if this Bill be carried in its present form it would be almost impossible, within the next half century, for the Irish Local Authorities to perform those beneficial functions for the improvement of Ireland, which are performed by Local Authorities in this country?

*(8.20.) MR. SHAW LEFEVRE (Bradford, Central): I am unable to vote for this Amendment. The House has been placed in some difficulty by the Amendment being supported from two totally different points of view. In the first place, my hon. Friend the Member for Elgin has moved the omission of certain words and has raised a difficulty as to the process of re-lending under the Bill. I think he was treated well on that point by the Chief Secretary. But a better opportunity for discussing the re-lending process will be afforded when we come to a later clause. In the meantime, as I understand these particular words in the clause, they are for the purpose of carrying out the guarantee. Although I am opposed to the whole scheme, I shall not be disposed to go into the same question again and again, whenever it is merely raised in a different form. The objects of the words proposed by the hon. Member for Kilkenny reduce the Bill to the exact form of the Ashbourne Acts. So long as the sum involved was the comparatively small amount of £5,000,000 in the first Act, and £5,000,000 in the second, I thought it was very reasonable that the country should look to the holdings themselves and to the Landlords Guarantee Fund as sufficient security. But when so large a sum as £30,000,000 is involved, danger of a totally different character arises mainly from combinations, bad seasons, or other causes, against which it is only reasonable that you should have some other security. For my part, I do not think it is unreasonable that we should look for those securities from Ireland, but I think those securities should be given with the consent of the Irish people. But that is a matter which had better be discussed on the Amendment of my right hon. Friend (Mr. J. Morley). If the Government refuse to make any concession in this direction, I for my part shall certainly vote against any additional securities being placed upon the Irish people.

(8.25.) MR. CALDWELL (Glasgow, St. Rollox): I regard the question of the Imperial guarantee differently from other hon. Members on this side of the House. I quite admit, on the Home Rule principle, with the Kingdom divided into three parts, each part should be made financially responsible. But when you approach the Bill from the Unionist point of view, then we regard the United Kingdom as a whole, and hold that if there be any risk under this Land Purchase scheme, then the loss, if there is to be any loss, should fall, not upon the 5,000,000 of Ireland, but upon the 36,000,000 of the United Kingdom. So far as the Imperial Government is concerned, the object of this Bill is to bring peace to Ireland. With peace in Ireland, a less Constabulary Force will be required, and there will be a saving all round to the whole of the United Kingdom. It is all very well to speak of the responsibility of the British taxpayer and the British working man, but let it be known that if any loss should occur under this Bill, when it becomes law, not a single copper will fall on the the British working man. The Chancellor of the Exchequer will go to the upper classes, where the money is to be got. Why is the Government afraid to face the working classes? If their measure is a sound one—and surely it is a sound one—let them go to the working classes and tell them that it will effect a saving in Imperial charges, and that no loss can occur to them. The very fact that some of these Irish tenants would be too poor to pay their instalments, is a reason why these guarantees should not be placed upon them. I look upon this question from an Imperial point of view, regarding Ireland as part of the United Kingdom. (8.30.)

(9.2.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

(9.5.) The Committee divided:—Ayes 113; Noes 81.—(Div. List, No. 135.)

(9.15.) MR. SEXTON: The Committee are already familiar with the arguments on which we found our claim that this liability should be finally borne by the Imperial Consolidated Fund, and should not fall on what we consider to be properly the funds of Ireland. I am anxious that the right hon. Member for Newcastle should have an immediate opportunity of moving the important Amendment that stands in his name; and, therefore, I will content myself by simply moving my Amendment.

Amendment proposed, in page 2, line 1, to leave out from the word "of," to the end of the Clause, and add the words "moneys to be provided by Parliament." —(*Mr. Sexton.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*(9.16.) MR. MAHONY (Meath, N.): I take this opportunity, as being the more convenient one, to object altogether against Irish securities being used in this matter. The adoption of the proposal of the right hon. Gentleman the Member for Newcastle might modify the objection to the use of Irish securities, but it would not do away with the great objection. The great objection is that the Irish people whom it is proposed to tax will have no control over the administration of the money advanced. The Amendment of the right hon. Gentleman would only give the people the right of saying once for all whether they would allow the Purchase Act to be put in operation in a certain county or not, and if they decided in the affirmative they would have no control over the working of the Act. My object is not in any way to delay the progress of this Bill. The position I take up now is different to that I took up a year ago. Things have happened since then that have modified my views regarding land purchase. We have now to choose between two evils. We may not like the Government Bill—we may not think it a Bill that Ireland is entitled to; but what are we to expect from the Front Opposition Bench or the Liberal Party in regard to land purchase in Ireland? It is perfectly well known there are divided counsels in the Liberal Party on the subject of land purchase, and, therefore, we may find ourselves bound to accept a Bill such as this though we may not think it is as good as it ought to be. We may be told that in objecting to the use of the Irish securities in any form, we are not consistent. It is true the Irish Party raised no objection to the use of the Irish securities in 1886, but then the Bill of 1886 was a very different one to the present Bill. That Bill proposed to settle the Irish land question; this Bill does not propose to do anything of the kind. In addition to that, in 1886 Ireland was prepared to make a sacrifice of her credit because she was getting the right to self-government. Neither of these two advantages are offered us under the present Bill. A very remarkable statement was made this evening by the right hon. Gentleman the Chief Secretary. The right hon. Gentleman said it was not within the range of practical politics for any Government at the present time to propose to advance British money for the purpose of buying out Irish landlords without having adequate Irish securities. The Government have exhausted every means at their disposal to furnish Irish securities; they have furnished many securities which are unjust, and many which are absolutely absurd. But with all these securities, they cannot obtain more than will justify them in advancing more than £30,000,000 for the purchase of land in Ireland. If £30,000,000 will not settle the Irish land question, and it is not within the range of practical political politics to advance money for the purchase of land in Ireland without having Irish securities, what are you going to do when the £30,000,000 are exhausted? You intend to force us to pledge all our available securities not for a permanent settlement, not for a settlement to benefit the whole country. For a settlement that will only benefit one particular class in the country you are going to make the whole country pledge its security. That is unjust. The whole country would have benefited by the financial arrangements under the Land Purchase Bill of 1886. No one will say that £30,000,000 will buy out all the Irish landlords. One of the chief objections to the proposal of 1886 was that it was only intended to provide £50,000,000. The right hon. Gentleman who now leads the House characterised the proposal as illusory, as a very much larger sum would be required. If it was wrong to put £50,000,000 in

that Bill, surely it is far worse to put £30,000,000 in this Bill. I hope the Attorney General for Ireland will not tell me that as the money is repaid it will be loaned out again; and that, therefore, in process of time, when he and I and future generations of his and my family are in the grave—some 200 or 300 years hence—the Irish land question will be settled. That will not be satisfactory. What I wish to particularly point out is that by insisting that Irish securities are necessary you are putting a block in the way of the settlement of the Irish land question, because if Irish securities are necessary now they will be necessary in the future. You are going to exhaust them all now; and if you cannot ask for an advance of British money in Ireland now without Irish securities, how can you have the face to ask for an advance at any future time? You are almost pledging yourselves against doing so. There is another reason why you should not introduce into the Bill these Irish securities; and that is that you are doing it without the consent of the Irish people. It is perfectly monstrous that you should take securities for the benefit of one particular class in Ireland and that against the will of the people, without their consent, you should pledge the securities which belong to the whole nation, and do it in order to protect the British Exchequer. The Irish land question is the heritage of bad government in Ireland; it is the British Government who are responsible for the present state of the land question, and it is the British Exchequer that ought to bear the responsibility. I have no doubt that on some platforms in this country this measure will be described as one of extraordinary generosity towards Ireland. The measure displays the very reverse of generosity. It is drawn in a most niggardly spirit because you are taking from Local Authorities in Ireland every available security they have got. If you ever create them what will be the position of these Local Bodies? What credit will they have at their disposal? How will they raise money for their own purposes? If the Imperial Government are sincere in this matter they ought to be only too glad to run some small risk. The Irish question has been for a long time a thorn in the side of the British Government, and Her Majesty's present Government believe, or profess to believe, that it is going to be almost settled by the settlement of the land question in Ireland. Is that not worth risking the British credit for? By pledging Irish securities against the will of the Irish people you make that settlement more difficult, you deprive the Irish people of their securities, and you do this, giving the Local Authority no controlling power over the administration of the Act, or the amount of advances made for the interest of which these local funds are to be made responsible. More than this, you remove from the Land Commissioners, who are the body who have to sanction the amount of these advances, all responsibilities in regard to repayment—that is to say, no matter how great the mistakes they may make in ascertaining that there is proper security for the amount to be advanced, they have no danger or responsibility in the matter, because no matter how unfair, however much too large the amount advanced may be for the security offered there is the local security behind them to make good the losses. So you are going to set up in Ireland a body charged with most important functions and great responsibilities, and yet you are not going to attach to them the consequences of their action should they grossly err in the discharge of their functions. If they advance money on bad security no matter, the loss will be made good by people who have no voice in deciding whether the loan was a proper one or not. This is a monstrous principle to proceed upon, a principle in direct opposition to that upon which, up to this, we have proceeded because, under the Ashbourne Act, the first person who suffers if the Land Commissioners make an improper advance is the landlord when he has received too high a price for his land. But now the people whom you are going to make bear the loss are those who have no voice in, and who derive no benefit whatever from, the advances. This is a very serious change to make, and I think it would be time to ask the Irish people to pledge their local securities when you are prepared to give the Irish people some control over the money to be advanced, some control over the machinery by which the Act is to be administered. You might then be fairly said to be in a position to ask for these pledges, but if the House is going to take upon itself the full responsibility of making the advances, then with Parliament should the responsibility of the payment lie.

(9.35.) Mr. FLYNN (Cork, N.): It is not my intention to take up time at length, because the question has been dealt with in a spirit of great clearness and cogency by my hon. Friend the Member for Cavan. My own view is, that it is our duty to strenuously resist every effort to saddle this liability upon Irish local securities, and that to do so in this manner without the consent of the locality amounts to an embezzlement of those local funds. We shall have more to say upon this point on the Amendment which is to be moved by the hon. Member for Newcastle, but still I think the reasonableness of this proposition ought to command a large measure of support.

(9.36.) Mr. M. J. KENNY (Tyrone, Mid): It is not likely that the use of these guarantees will ever be required, they are not likely to be required at all, and so, I think, the Imperial Government might take the risk, if risk the Government think there is, though I do not believe that a halfpenny will ever have to be paid out of such guarantee. The local guarantee can well be dispensed with, it will only impede the working of the Act.

(9.37.) Mr. CHANCE: I submit that it is a dishonest thing to attempt to seize local funds for the benefit of the landlords of Ireland. It is a novel principle that anyone should be compelled to become a surety against his will, and in my opinion a locality would not be under the slightest moral obligation to repay any moneys which it might be called upon to pay under this provision. The measure of the availability of the fund will be precisely the measure of the force by which you will be able to screw it out of the pockets of the Local Authorities. The effect will be that the Commissioners will have a larger margin to operate upon, and considering these Commissioners will have probably very pronounced views on the subject of landlord and tenant, it is to be expected the sale price of holdings will be much enhanced. We have no control over the Land Commissioners; their salaries are paid from the Consolidated Fund, and they can snap their fingers at public opinion and local pressure.

(9.45.) The Committee divided:—Ayes 160; Noes 60.—(Div. List, No. 136.)

(9.54.) Mr. J. MORLEY: I think it is not too much to say we now approach what the right hon. Gentleman the Chief Secretary will doubtless himself call the most difficult and critical portion of the Bill. Those who think with me hold that there are many objections to this measure, but of those objections none are so capable of being widely and generally understood as the one I now put forward, namely, that for the benefit of a small number of Irish landlords, and for a larger number, but still a comparatively small number, of Irish agricultural tenants, the Government are going to make whole Irish counties pledge a great and substantial portion of their local revenues to make good any default on the part of those casual and privileged tenants who avail themselves of the provisions of this Bill. Her Majesty's Government insist upon forciby taking for the purposes of this measure funds which belong to the different Irish counties, without the counties themselves being consulted on the matter, and without their having choice or voice in transactions that may lead to an immense aggravation of the local burdens. The proposition that forms the foundation of my Amendment is that such a policy is contrary to equity, contrary to the practice of Parliament, and wholly inexpedient. The right hon. Gentleman, in introducing his first Bill on this subject, admitted all that I require for the purposes of supporting my Amendment, because he declared that he was about to treat Ireland in a manner in which he knew that the House would not have allowed him to treat England. It is certain that if political troubles arise in Ireland there would be considerable default on the part of the Irish tenants who purchase their holdings under this Bill, and in that case what do the Government propose to do? In the first place, they propose to impound that part of the cash portion of the Guarantee Fund which consists of an annual £40,000 which should in every financial year be paid out of the Consolidated Fund, and of the Irish Probate Duty grant. If this cash portion of the Guarantee Fund should be insufficient to meet the defaults of the tenants, then the Treasury is to stop the deficiency out of the contingent portion of the Guarantee Fund, which consists of the Government grants to local purposes. Then comes the third and undoubtedly, the most formidable provision of all, under which the Lord Lieutenant is to order a levy to be made upon the county at large in which the default has taken place, through the Grand Jury. Upon this point I should like to put a question to the right hon. Gentleman which strikes me as being one of great importance. It is this: The Government are going to bring in a Bill for local government in Ireland upon lines analogous to the Act which passed for the local government of this country, which, I presume, will create elective, popular County Councils. Do they intend, when such County Councils are called into existence, that the Lord Lieutenant should order the County Councils in place of the Grand Juries to make this levy? What will you have then? You will have the Lord Lieutenant giving an order for the levy, and you will have a popular elective body assenting or refusing to carry it out. That, especially, if the right hon. Gentleman's views as to Irish national opinion are true, will place the Lord Lieutenant and the County Authority in a position of the greatest difficulty, and will lead to extreme confusion. I put this point to the Chief Secretary, and ask him for this information parenthetically—whether in his contemplation it will be for the Lord Lieutenant to order the County Council, as he is now going to order the Grand Jury, to levy the sum necessary to make good the default of the tenants? However that may be it comes to this—that the Lord Lieutenant can order a levy to be made through a Grand Jury on the county so that the tenants whose landlords decline to sell, and will not give to their tenants the boon conferred by this Bill, will not only have to patiently bear as they best can their own unfavourable, disadvantageous, and inferior position relatively to those whose landlords have been willing to sell, but also to make good the default of people whose landlords have been willing to confer this boon. I am perfectly sure that not only Ireland but England will agree that this is an intolerable injustice and a strong provocation—I will go further and say a justifiable provocation—of disaffection to a Government which imposes so unjust a burden. The Chief Secretary, I must admit, agrees that this is the position as the Bill makes it, and that it is absolutely indefensible. The right hon. Gentleman regards it as being so indefensible that he now assents, as we understood from the speech introducing the Bill, to some modification. [Mr. A. J. BALFOUR dissented.] Surely the right hon. Gentleman has admitted the necessity of some modification in the proposals which are in the Bill. I take it that he did so when he talked of a *plébiscite*, though he said, "I declare that in my judgment I do not think it will be an improvement to my scheme as set forth in the Bill." We wish to know, after the declaration of the right hon. Gentleman, what is the plan of local control which he is prepared to submit to the House. The right hon. Gentleman led the House a certain way into his plan, and said that if we had any plan of local control at all it must be by way of *plébiscite* to the ratepayers. He said we must put the matter of undertaking this liability and bearing this obligation, "aye" or "no," to the ratepayers under the safety of the ballot, and so take their verdict upon it. Now what is the question to which the ratepayers are to say "aye" or "no"? Are they to say "aye" or "no" to each individual transaction between a landlord and a body of tenants? Is such a *plébiscite* to be taken from the whole body of ratepayers in a county on each transaction in which a landlord wishes to sell his estate and has come to terms with his tenants? That would be control in the real sense. I understood from the right hon. Gentleman's utterances that he does not intend by this plan to take a *plébiscite* on individual transactions. That being so the right hon. Gentleman, in my opinion, rejected popular control in what I should have regarded as its most effective and practical shape. I do not believe that popular control would be of any great value in the administration of this Act, unless the localities had some kind of voice in individual transactions. The Chief Secretary gave as his reason for refusing this interpretation of popular control that it would never do to allow men who might, and probably would, themselves become buyers, to "bear" the market and fix the price of the article. That may be a good argument, or a bad one; but if you force a man to become surety for the repayment of purchase money without consulting him at one stage or another as to the amount of that purchase money, without taking his judgment as to the price for which he is to be made bondsman, to call such a process popular control is, in my opinion, a sheer mockery. Now, what is the question which the Chief Secretary is going to submit to the "aye" or "no" of the ratepayers by his *plébiscite?* It is, I understand—and he will correct me if I am wrong—to be taken on the plain question whether or not the ratepayers will assent to the mortgaging of the contingent portion of the Guarantee Fund; do they agree to pledge their share in local taxation duties or local grants, or do they not? Do they agree to make good by county levy the default of tenants whose landlords have conferred upon them this immense boon? The Chief Secretary draws a distinction between the contingent portion of the Guarantee Fund and the cash portion of the Fund, which, in the opinion of the right hon. Members for Mid Lothian and West Birmingham, and in the opinion, I think, of all men who have given this question impartial consideration is absolutely untenable. The right hon. Gentleman admits that there is no logical distinction between the cash portion and the contingent portion. But he says there is a sentimental distinction. What is it? The right hon. Gentleman says that there is all the difference from the point of view of sentiment between grants that the Irish community have been in the habit from time immemorial of receiving, and grants which Parliament has made to them within a very short time past. I submit that this is one of the most ludicrous, I would even say childish, defences I have ever heard for a distinction which the right hon. Gentleman does not pretend to defend in logic. I will put it as the right hon. Gentleman does. In the Debate on the Second Reading of the Bill the Chief Secretary said—

> "You may say that both are the property of the locality. They are contributions given to the locality by the free gift of the Legislature, and may be withdrawn at any moment. The claim of the locality to those contributions is based only on the fact that other localities have the same."

I should have thought, for my part, that it would have been impossible to base a claim on anything much more likely to touch the sentiment of the community, than the fact that you are going to deprive them of control over a fund the full control of which is possessed by all other localities. This disputation as to the distinction between the cash and the contingent portion is not very ingenious, and is, I think, rather idle. If I understand rightly the veto of the country upon the contingent portion of the Guarantee Fund, it will have the effect of stopping purchase. The right hon. Gentleman admits as much as that. But I confess that I do not understand when this *plébiscite* on the contingent portion of the Guarantee Fund i going to be taken.

MR. A. J. BALFOUR: When the cash portion is exhausted.

*MR. J. MORLEY: Is it to be as soon as 25 times the cash portion of the Guarantee Fund has been exhausted and advances have been made up to that amount? Will the ratepayers then decide? Very well; that was not expressed before, and I do not think it was so understood by the right hon. Member for Mid Lothian; but in any case it seems to me that it would be found an extremely inadequate form of popular control. Because—mark this—the whole of their cash portion has been taken, and therefore a very considerable step has been made in the way of purchase and in placing an imposition on the country at large without their consent having been asked. I do not think, therefore, that this *plebiscite* proposal really meets the foundation of our objection. I would ask the Chief Secretary to say how he proposes to arrange for his *plébiscite*—what clauses he proposes to introduce? It is against his own judgment; he does not think it will be an improvement in the Bill, but he is prepared to propose it. [Mr. A. J. Balfour dissented.] I understand that if the Chief Secretary finds a distinct preponderance of opinion in favour of a *plébiscite* a clause will be introduced to provide for one; but, if not, it will be interesting to know what are the objections to it, because some of the voting upon this Amendment will depend upon the satisfaction with which the proposed *plebiscite* is received. The Chief Secretary has offered two objections to popular control. First of all, he says that land purchase is a policy in which not merely Ireland but the whole Empire is concerned. I should have thought the answer to that perfectly simple. It was given before you took the Chair, Mr. Courtney, by the hon. Member for the St. Rollox Division of Glasgow. The hon. Member asked, why should one part of the country—meaning the United Kingdom—be saddled with a burden for the sake of a measure which is conceived in the interests of the United Kingdom as a whole? The logic of that is unanswerable, and the Chief Secretary admits it. If we are going to embark on this land purchase for the benefit of the Empire as a whole, why should not the Empire run the risk? The Chief Secretary boasts that he has taken great care to guard British credit against incurring any risk whatever; he says that he is going to throw the whole risk of default in these transactions upon Irish local resources, although he says that the purposes and objects are not merely Irish. The right hon. Gentleman is a very acute dialectician, but I defy him to explain such a paradox as this. He says that "Here is a boon given by the country at large to Ireland for the purpose of improving its social position; do not let the Local Authorities interfere with that boon, but give it freely." By all means prohibit the localities from interfering with the boon, but if you prohibit them from interfering you have no right to impose upon them the burden of the risk. The right hon. Gentleman's second objection to popular control is that the body intrusted with it might use it for political objects. Agrarian discontent, he says, truly enough, at one time or another has been used for political objects, and he contends that if we introduce local control in this business we shall be intrusting the success of the land purchase policy to a body called the National League, which, he says, for its own purposes would stop the operation of the Act. That seems to me as hollow an objection as could possibly be taken. What does it prove? If the National League is strong enough, in American electioneering jargon, to "capture" the Local Authority, and to prevent the Local Authority from sanctioning a purchase, how can the right hon. Gentleman dream it will not also be strong enough with the tenants to prevent them from entering into bargains with the landlords? If the National League is the master of the Local Authority, why should not its influence be strong enough to make it master of the tenants? Then if the Lord Lieutenant orders a levy to be made by the County Council, and if the National League were hostile to the Government policy, what chance would there be that the levy would be carried out? Another objection urged by the right hon. Gentleman is that the introduction of popular control by a Local Authority is absolutely impracticable and unworkable. I have never yet been able to understand the force of that objection. The right hon. Gentleman says you cannot introduce into this Bill provisions for constituting County Councils, and that if we are to wait until a County Councils Bill is passed, at the rate at which the House of Commons does its business, we shall have to wait at least for some months. Well, I hope it is only some months we shall have to wait for the County Councils Bill. The Chancellor of the Exchequer cheers that, meaning, no doubt, by his cheer that the Bill may be produced any day. Yes; but we have heard that ever since 1886, and I shall believe in the existence of that Bill and in the intention of the Government to pass it, when I hear it explained from that box, and not before. The Chief Secretary says if we put into this Bill a clause saying that the County Councils are to possess a veto on its operations, we may find ourselves in the absurd position of allowing a certain number of sales to be effected, and then County Councils may step in and stop the operations. I do not think that truly describes the case. I will submit to the Committee a hypothetical time-table. Let it be assumed, as stated by the Government, that the unexhausted fund at the disposal of the Purchase Commissioners under the Ashbourne Act is just short of £1,000,000, although I thought it was larger. That is plenty of money with which to continue transactions under the Ashbourne Act. At present there is usually an interval of from four to six months between the date of an application and the date of sanction, and from six to eight months are occupied in proving the title and other matters. I believe it will be June, 1892, before the fund provided by the Ashbourne Act is exhausted, and preliminaries under this Bill will occupy till November, 1892. If the County Councils Bill is to be brought in and passed by next year, there is no reason why County Councils should not have been elected by November, 1892, and be in a position to undertake the supervision of these purchase transactions. Therefore, if my hypothetical time-table be approximately correct, the third argument against the policy of my Amendment falls to the ground. Having now done my best to answer the objections of the Chief Secretary, I will now point out, merely by way of enumeration, the advantages which we who support this Amendment anticipate from its operation. The first advantage would be that we should avoid the admitted, the immense, the formidable peril of bringing the State into the relation of direct creditor with 180,000 or 200,000 tenants. I need not ransack *Hansard* for proofs that right hon. Gentlemen opposite have always taken that view. The second advantage is that a veto on the transactions would be given to the people in the neighbourhood, who would know far better than anybody else whether a transaction was a good one and the security sound. As it is, the Government would be at the mercy of the valuers of the Land Commissioners. I am the last person to say a disrespectful word of those valuers, of whom I know more than one to be men of great experience and thoroughly conscientious, but not even the most experienced and upright land valuer can know and go into all the local circumstances and details of transactions. He does not know the character of the purchases, nor all the circumstances of the holding. On the other hand, the members of a Local Board would know. That would be a second great advantage—submitting these transactions to people who know all the conditions. The third advantage would be that if the County Council, or some other Local Authority, were to interpose, the tenants would be protected against coercion and duress on the part of the landlords. I know the Chief Secretary has said or written that that is an imaginary alarm, but in a Committee upstairs we had such a case proved by a valuer of the Land Commission concerning the tenants of one of the most powerful companies in the City of London; they had attempted to force a bargain on their tenants under circumstances which the superior officer of the Land Commission decided to be circumstances of coercion and duress. The fourth advantage would be that if the assent of a Local Authority, were secured, it would remove one of the most potent arguments for repudiation in hard times or for political reasons. If you interpose the Local Authority, you at least have got popular assent, though enormously inferior to the assent we proposed in 1886—still some sort of assent which would remove the argument that no assent had been given. The fifth advantage would be a not inconsiderable one. No other plan, except the invocation of Local Bodies to superintend the administration of that Bill, will get over its administrative difficulties. The administrative difficulties, even if the thing worked as smoothly as the Chief Secretary hoped, would be enormous. The interposition of Local Authorities would at least smooth the difficulties of administering the Bill. The difficulties of working the Act by a Central Authority in Dublin would be enormous. Let us picture what a state of confusion Ireland might be in. I agree with the Chief Secretary in hoping it would not be so, but at any rate it is not improbable if the Chief Secretary's opinion of the Irish character is the true one. Let us picture the confusion there would be after this land purchase scheme has been for some time in operation. The Government would be doing three things, each enormously burdensome and calculated to spread confusion. Suppose bad times, with a certain amount of default on the part of the purchasers, the State would be recovering its debts from the defaulters in the Courts. In the second place, the State, after getting its decrees, would have to enforce those decrees by eviction, for I know no other method of enforcement; and, in the third place, it would be exacting the tax levied by the Grand Jury, by order of the Lord Lieutenant, over great districts of Ireland. There would be proceedings in the Courts and on the holdings, and you would have complex proceedings in the county, to collect what must be the most unpopular impost levied by an unpopular body—the Grand Jury. All those who have to pay would protest, and, in my judgment, rightly protest, that it was an unjust impost. Would it not be well to have a Local Authority to share all these burdens? The sixth advantage is that by giving Local Authorities control over those transactions you would take the best means to make the money go furthest. I myself have always regarded a settlement of the land question as an indispensable part of any policy which aims at giving self-government to Ireland, and of giving that self-government anything like a fair chance. This has always been my position; it is my position now. But I should be blind, if I did not recognise what I believe the Chief Secretary said in effect that this Bill gives the last £30,000,000 which Parliament will ever be likely to lend for the purpose of land purchase in Ireland. It is simply notorious that the constituencies have made up their minds on that point. That being the case, and attaching the importance I do to the land question, it is in the interests of all to take care that the money now to be advanced should go as far as it possibly can be made to go. A Local Authority would exercise a very vigilant supervision over those transactions. It would see that the money was not wasted, and that every sovereign went in the direction for which Parliament destined it. The Government are going the wrong way to work in the order in which they have shaped their policy. I do not believe that Land Purchase *plus* Local Government will solve the Irish question, but, even taking the point of view of the Government, in placing Land Purchase before Local Government, they are moving in an inverted order. No doubt there are great difficulties in the way of the Party opposite, with their Conservative friends from Ireland especially, in the way of setting up a Local Government they do not want at all. It is easier for the Government to ask the House for £30,000,000 of British money for land purchase. They have taken what is for the moment the easy course, and have introduced one of the very worst and most dangerous Bills I have ever known introduced to Parliament. In evading these temporary difficulties they are preparing for themselves, if they remain long in Office, or their successors when the time comes, a sea of future troubles. In what sort of temper will the Irish County Councils to be created next year approach their duties when they find that a large proportion of the financial resources which they ought to have had to carry on the work of local self-government are already hypothecated and taken out of their control? Nothing is more likely to upset Local Government in Ireland than this hypothecation of local resources with which Local Government ought to be carried on. The Chief Secretary knows the great sentence of a famous divine: "Things are what they are, and the consequences will be what they will be: why, then, do we deceive ourselves?" That was said of morals, but it is just as true of politics, and the question might be put just as aptly to the Chief Secretary, Things in Ireland are what they are, and the consequences which you are bringing about by this Bill will be what they will be. Why, then, does the right hon. Gentleman deceive himself in the first place; and, in the next place, why does he deceive Parliament and the country. I beg to move my Amendment.

Amendment proposed,

In page 2, line 2, at the end of the Clause, to add the words, "Provided that no Guaranteed Land Stock shall be issued by way of advance in any county for the purchase of any holding unless the making of such advance in that county shall have been previously approved by a resolution of the County Council elected to represent the county in which the holding is situate under an Act of this or the next ensuing Session of Parliament."—(*Mr. John Morley.*)

Question proposed,

"That the words 'Provided that no Guaranteed Land Stock shall be issued by way of advance in any county for the purchase of any holding, unless the making of such advance in that county shall have been previously approved,' be there added."

(10.45.) MR. A. J. BALFOUR: The right hon. Gentleman concluded his speech by making a quotation from Butler to the effect that no greater folly could be committed by mankind than not looking facts in the face, and meeting things as they are. There is no more direct issue than the one raised by the right hon. Gentleman. The question really between us is, which looks at the facts of Irish contemporary life as they are; which of us sees the political forces which have been at work, are at work, and may be at work in the future in the Irish counties, as they are; which of us is deceiving himself by familiar formulæ, useful on platforms, and even for perorations, but not always useful, I venture to think, for the practical conduct of great and important affairs. I shall endeavour to meet the points of the speech of the right hon. Gentleman in the order in which he has raised them. The right hon. Gentleman said, and said truly, that I admitted on a previous occasion, on a Bill similar to this, that the elected County Authorities in England and Scotland would be associated with the central Government in the administration of the Bill. I adhere to that. I do not believe that any such Bill as this will be brought in for England or Scotland. It is because the condition of Ireland has happily no parallel in the rest of our dominions that we ask for the use of British credit, and for the expenditure of public money in a machinery which no Government, as far as I know, would ever have been justified in using either in England or Scotland. We have asked ourselves whether the condition of Ireland which justifies a Bill of this kind does not also justify us in not asking that the local elected bodies should help in making, or probably marring, the work of the British Legislature. The right hon. Gentleman told us we might or might not associate these bodies; but that if we created them they would be strong enough to prevent compulsory taxation. I want to know why he thought it would be more difficult after County Councils were created than now to have compulsory presentments? Compulsory presentments exist now, and cannot be destroyed whatever system of Local Government may be started in Ireland, whether it be the circumscribed and limited Local Government, which I hope to be enabled to present to the House, or whether it be the enormous scheme of national self-government, which right hon. Gentlemen opposite hope to present under the name of Home Rule. You may think that you would have compulsory presentments for malicious injuries abolished, and that then malicious injury would become legalised. Putting that aside, you might have compulsory presentments for light railways. Are we going to abolish them when we have County Councils? The County Councils are not consulted about their being undertaken. Capital has been advanced by the country, but they could not be abandoned simply because the County Councils did not happen to like them. The right hon. Gentleman must reconcile himself to this—that whatever the form of Local Government given to Ireland, compulsory presentments will be a necessary part of the social system, and we do not throw upon ourselves an unnecessary burden when we make it an integral part of the present scheme. The right hon. Gentleman then referred to the plan by which a certain amount of local control should be given in respect to a certain part of the Guarantee Fund. I have no objection to the mode in which the right hon. Gentleman stated that scheme. I think that any such limitation of the present Bill would be a misfortune. The suggestion might not destroy the Bill, but it would make it absolutely unworkable. Then the right hon. Gentleman went on to argue against the Government scheme as a compromise. The right hon. Gentleman said that an attempt was being made to distinguish between two portions of the Guarantee Fund; that each portion belonged by right to the Local Authority, and that the attempt to distinguish between them was childish and foolish.

MR. J. MORLEY: Childish.

MR. A. J. BALFOUR: I entirely differ from the right hon. Gentleman. I think there is a distinct difference between the two portions of the Guarantee Fund. What is the cash portion consisted of? It consists of subventions to the Local Authorities from the Imperial Exchequer, which was never heard of until 1888. What is the contingent portion of the Fund? It consists of contributions from the Imperial Authority to the Local Authorities, which are, I will not say of immemorial usage, but of long standing—contributions to education and pauper lunatics. I see no absurdity in distinguishing between the two. The right hon. Gentleman said that it is illogical. Well, I never yet heard of a compromise that was logical. Almost the essence of a compromise is that it is illogical. My Bill is illogical, and I think it a good Bill. The proposal of the right hon. Gentleman is logical, and therefore I think it bad. I am not going into the matter in detail, for this is not the time to discuss it. The time will be on the 6th clause, which will soon come. It will then come naturally, logically—that is, I believe, the word—and I shall not now be tempted into a more close examination of it. Having discussed the Government plan, the right hon. Gentleman then went on to defend the plan which he proposes. He told the Committee that unless we associated the local bodies in Ireland with the mortgage of their rates we would practically throw the whole burden upon Ireland, and lessen the burden upon England and Scotland. I entirely differ from the right hon. Gentleman. My view has always been that we are carrying out great national objects, and that every part of the United Kingdom should aid in the fulfilment of that object. The right hon. Gentleman admits that this great object can only be carried out by the mortgaging of the rates. [Mr. MORLEY expressed dissent.] At all events, the right hon. Gentleman will not differ from me when I say that it would be quite impossible to bring forward any scheme of land purchase which did not have some local guarantee behind the Imperial Exchequer. The Government think, and I am sure rightly think, that the British public will never consent to employ their credit unless there is some local resource behind. This is the sacrifice we ask of the Irish Local Authorities in order to carry out the present scheme of land purchase; but we do not believe the Local Authorities will be called upon to sacrifice their rates, and experience of the Ashbourne Acts warrants that confidence. They are simply asked that their funds may be used as far as security is concerned. But do not the taxpayers of Great Britain give anything on their part? They give a great deal. In the first place they give their credit, although I am bound to say that I do not believe the loan of that credit will cost the British taxpayer 6d. in money. Still, that fact does not prevent the loan being a great boon to Ireland. It is a boon which, by universal admission, no effort of Irishmen could ever obtain for themselves. I venture to say that no Irishman will get up in the House and say that, if Home Rule were granted to-morrow and Irishmen had the settlement of the land question, they could settle that question by the aid of Irish credit. It would be financially an impossible task. While, then, we have asked the Irish localities to help us in this great work by the aid of their rates, the English people, on the other hand, lend them that which they would never obtain for themselves — the solidity which is given by the use of British credit. That is not all we give. This machinery of land purchase is a costly one; it cannot be made cheap, and the whole expense of this machinery is borne, not by the localities in Ireland, not by the ratepayers whose cause hon. Members opposite plead, but by the British ratepayer, for the purpose of settling a question which moreover directly affects only a small corner of the United Kingdom. All parties admit the necessity and desirability of land purchase and that it is a great work, and I contend that under the Bill all will contribute to the great result—the Irish localities by their rates, and the British public by the aid of their credit and also by bearing the whole cost of the machinery—no trifling cost either—required for carrying the scheme into operation.

Mr. KEAY attempted to put a question to the right hon. Gentleman, but he was unable to make himself heard in the cries of "Order" which were raised.

THE CHAIRMAN: The right hon. Gentleman is entitled to continue his speech.

MR. A. J. BALFOUR: I failed to catch the observations of the hon. Gentleman. So much for the criticisms the right hon. Gentleman has made, partly on the Bill as it stands, and partly on the Bill as it would be modified by the suggestion I threw out in November last. Now I come to the discussion of the right hon. Gentleman's own proposal, which is a very simple one. It is that we should wait until County Councils are created, that when created they should be required to consider each transaction between landlord and tenant and give their decision upon it, and that no purchase should be allowed to take place until the decision had been given in favour of that transaction. Now I say that such a plan is perfectly impossible. Irish Local Authorities, as far as we have had experience of them, in a large number of cases—I will not say all, but certainly the large majority—have been animated very much more by a desire to further a political cause than the particular interest of the people they represent. [*Cries of* "No" *from the Irish Benches.*] That statement cannot be denied, at least with any plausibility. I do not intend to go through all the cases I could enumerate, as hon. Members below the Gangway opposite know, to prove what I say—but what, for instance, does the Committee think of a Resolution passed on the 11th of November, 1886, by the Ennis Board of Guardians, in which the Nationalist Guardians pledged themselves to support no candidate in a future election unless he had been a member of the Irish National League for six months previous to the day of election, and unless he produced a certificate to that effect signed by the secretary and the president of the branch? That may or may not be a proper Resolution, but it is certainly a political one, is entirely alien to the administration of the Poor Laws, and shows that these elected bodies in Ireland are not prepared to subordinate politics to every other consideration. I will take a later case. It is that of the New Ross Guardians, who were dissolved. It appears that Lord Emly had some controversy with his agricultural tenants; the National League interfered, and the tenants were induced to join in refusing to pay their rent. The tenants had been evicted, and the Board of Guardians established what was called a "ward of honour" for these non-agricultural town evicted tenants and gave them special and favourable terms. I am not now criticising the action; my point is that this is political and nothing but political, when an elected Board of Guardians throw themselves into a land controversy and take a decided side, with such vigour that they violate every rule that should guide their behaviour. Ultimately they were dissolved. I am not sure that the case is different with regard to the larger Board of Guardians at Cork. They were dissolved because time after time they insisted on discussing politics and political resolutions before they came to their proper business, to the neglect of that business. If I remember rightly the final cause of their abolition was that they discussed for four hours whether or not there should be a resolution of condolence with the senior Member for Cork, with regard to certain incidents of an entirely non-political character. Again, I am not criticising their action, but it shows that politics and politics alone in certain circumstances, to the exclusion of every other consideration, animate these elected bodies. In this connection I think that I shall not be out of order if I remind the Committee of an interruption made, some time ago, by the hon. Member for Longford. The question was asked who would determine the price of the land, and the hon. Member for Longford said, "The Land League." I have no doubt that as far as the efforts of the hon, Member were concerned it would be, if not the Land League, some other organisation which, acting through the Local Authority, would attempt as far as it could to determine the price at which these land transactions should be carried out. I would like to ask the Committee what species of justice would be done under a Bill framed on such lines. The case of Mr. So-and-so and his tenants comes before the County Council, elected on political grounds, and animated by political motives, and perhaps with a desire that the land war should continue. The County Council says, "Mr. So-and-so has evicted tenants, he is a rack-renter," or they will say he is guilty of some of those numerous offences which popularly elected bodies in Ireland are wont to find in landlords, and the bargain will not be allowed to be concluded except on the terms of seven or 10, or 13 years' purchase. Each bargain which has to pass this Local Authority would be criticised, not upon its merits, or with a view of determining from local knowledge whether the transaction was a fair one or not, but with the view of beating down the price of land and bringing the landlord, to use the classic phrase, to his knees. Who can doubt that these Local Authorities would be used for "bearing" the price of land in Ireland, for reducing it below the normal value, and making the position of any landlord who happens to contravene the laws of the League, or whatever organisation may happen to be paramount, a difficult one by saying that unless he gave in he would not be allowed to sell an acre of land to any tenant, however willing that tenant might be to buy, and however capable he might be to pay the annuity? That seems to me to be a perfectly conclusive argument against any form of local control which would allow a popularly-elected body—that is to say, a body elected by those who wish to purchase, and not by those who wish to sell—to determine which transaction should be accomplished and which should not. If any plan is adopted I hope it will not be a plan which gives control over each particular transaction. It would make the Bill not worth passing. The right hon. Gentleman has told us that one of the great recommendations of his plan, if it is adopted, is that we shall not come into direct contact with the purchasing tenant. The right hon. Gentleman has not used the word "buffer," but I understood his argument to imply that his plan would interpose between the State and the tenant, when he had bought his holding, some kind of buffer. For my own part I admit that if it has that effect there may be much to be said for it, but I cannot see how the right hon. Gentleman's proposal is to have that effect. If the Local Authorities were the persons who received the annuity, I think that there would be something in it; but the plan of the right hon. Gentleman proposes nothing of the kind. The Local Authority are simply to give their consent, and when that is given the tenant would be as directly in contact with the lending Exchequer as previously.

*MR. J. MORLEY: Yes; but then in a previous Debate I expressly stated that the advantage of giving the County Council or the Local Authority an interest was so great as to be indispensable to my scheme.

MR. A. J. BALFOUR: It would be necessary to have some body in the position of mortgagee. But does the right hon. Gentleman really suppose that the assent of the Local Authority alone would secure us from repudiation? I would think very little of any Local Authority to be created in Ireland if they could not find a plausible excuse for any amount of repudiation. Repudiation has always been by popularly-elected bodies. ["Oh!"] They are the repudiating people of the world, and the fact that a Local Authority has stated that it would permit such a transaction to take place would be no security, moral, financial, or physical against repudiation after the transaction has been completed. The right hon. Gentleman concluded his speech by drawing a picture of the confusion in which Ireland would be if the Government were doing its best by legal process to collect instalments and levy rates in a time of distress. I want to know how the position of things would be worse in a time of distress under this Bill than it would have been under the Bill of the right hon. Gentleman? We have, at all events, contemplated the possibility — nay the probability—that such cases will occur. Rightly or wrongly, we have provided an insurance fund by which such distress can be met. No such insurance fund existed in the scheme of the right hon. Gentleman. In that scheme also there would have been an authority collecting rents in time of distress, and if those rents were not collected there would have been a sacrifice of local resources. It is quite true that in our case the bodies that would be hampered would be the Local Authorities of the county, and that in the Bill of the right hon. Gentleman the body would have been a Parliament in College Green. But how does that make the matter better? The right hon. Gentleman appears to expect that a scheme of this kind would come to grief if a time of distress occurred. But that difficulty he was ready to throw on the shoulders of the unfortunate Irish taxpayer, and no machinery was provided for dealing with such a contingency. The right hon. Gentleman simply said, "We have to collect an additional tax. If you cannot pay it, manage your own affairs; we cut you adrift."

MR. J. MORLEY: They had 18 per cent. for doing it.

MR. A. J. BALFOUR: But that does not make the matter better. Though it is true that the scheme of 1886 gave more to the Local Authorities than the present measure, it was given at the expense of the tenant; and therefore the tenant was far less able to meet a time of distress as contemplated under that Bill than he would be under the present measure. Therefore, I say if we are to condemn this Bill, which of all others provides machinery for dealing with distress, because in such a time it might cease to work favourably, you condemn with a double and treble condemnation every Bill which has preceded it, and, most of all, the Bill of the right hon. Gentleman. I have now endeavoured, point by point, to meet the arguments of the right hon. Gentleman. I do not think anyone will say I have failed to face the difficulties of the position, that I have shirked the material issues which have been raised, or that I have not done my best to meet the powerful but laboured argument of the right hon. Gentleman.

(11.24.) MR. PARNELL (Cork): We have had some interesting discussions initiated by English Members as to plans proposed for protecting the British taxpayer from any loss or damage under the operations of this Bill, and I am far from saying that English Members are not entitled to object to the principle of this measure and to propose every possible precaution to save the community from loss. We now come to a different undertaking, and an attempt is being made by the right hon. Member for Newcastle (Mr. J. Morley) to protect the Irish taxpayer from the risk and from what I join with him in considering to be the unfair position in which the Bill proposes to place him. When I saw this very important Amendment appearing in the name of the right hon. Gentleman I wondered why it was that no Representative of the Irish taxpayer had proposed it, and that it had been left to him to protect the interests of the Irish taxpayer. In saying that I do not dispute the right of the right hon. Gentleman to move the Amendment, nor do I in any way seek to cast doubt on his *bona fides* in moving it. Certainly I do not undervalue the protest which the right hon. Gentleman has made against the absence of local control, for which the Bill is distinguished, and which I think is its greatest blot. The right hon. Gentleman has very justly and very eloquently shown that there ought to be local control in return for the hypothecation of Imperial grants in aid, and that, failing such local control, we are violating one of the first principles of representative self-government which you carried out in establishing County Councils for Great Britain. But the right hon. Gentleman went further, and in doing so I cannot see my way to accompany him, because the right hon. Gentleman says that until local control is given he will not allow any sales to take place under the operations of this Act. If the Amendment be accepted as it stands an absolute end will be put to all further land purchase in Ireland until County Government has been established, except with regard to the unexhausted balance of the Ashbourne Acts, and probably with regard to those sales which have been partially completed in Ireland. I have had an opportunity of learning a good deal about the wishes of the Irish tenants in regard to land purchase, and I do not believe they desire that Irish land purchase should be interrupted. I think they want to get the 40 per cent.

reductions which they hope to obtain under the operation of this Bill. I think it is a fact that will not be denied by any Representative from Ireland representing an agricultural constituency that there is a great anxiety on the part of the Irish tenants to get rid, to some extent, of the crushing burdens of the judicial rents which are now upon them. The Irish tenants welcomed this measure in the hope that their burdens might to some extent be relieved by its operation. The right hon. Gentleman says that Local Government may be established next year or the year after. We do not know that it will. I have been hearing of the probability of its establishment for the last 25 years; and if we placed in the Bill the proviso of the right hon. Gentleman that there should be no further land purchase in Ireland until County Government is established, and if the Liberal Party should come into Office after the next General Election, as I suppose they intend to do, how much County Government would they establish, knowing that by refusing to establish it they would prevent the advance of one single penny for land purchase in Ireland? We do not exactly know what the Liberal Programme is. We have not heard anyhow, that it is County Government. We have heard that it may be Home Rule, or "one man one vote." In more recent times the balance seems rather inclining to "one man one vote" as the *pièce de resistance*, at all events, for the first year. That programme, if carried out, would postpone the establishment of County Government by the Liberals when they came into Office by at least two years from the present date, assuming we get a General Election within 12 months; and, looking to the fact that during the 25 years that County Government has been spoken of as likely to be passed in a short time the Liberal Party have been mainly in Office, I do not think we are entitled to postpone land purchase indefinitely because of the prospect that it will be probably passed by the Liberal Party in the near future. The opinion of the Irish tenants will probably be found to be that "A bird in the hand is worth two in the bush," and while I should be glad to support the right hon. Gentleman in the attempt to obtain local control, I should not wish to go with him in saying that we shall have no land purchase until we get Home Rule. With the view of improving the Amendment of the right hon. Gentleman and making it coincide with the ideas I have ventured to put before the Committee, I have drafted a further Amendment. I do not know whether it will meet with his acceptance. I suppose I can hardly hope for the acceptance by him of any suggestion from me, but I offer it to him and to the Committee in the belief that it will amend his proposal in such a fashion as will enable us as far as possible to secure local control without putting a stop to the progress of land purchase. I propose to insert, after the first two words of the right hon. Gentleman's Amendment—

> "After the enactment of any measure establishing County Councils in Ireland."

The Amendment would then read thus:—

> "Provided that after the enactment of any measure establishing County Councils in Ireland no guaranteed Land Stock shall be issued," &c., "unless the making of such advance shall be previously approved by a Resolution of the County Council elected to represent the county in which the holding is situate under an Act of this or the next ensuing Session of Parliament."

Having said so much on the Amendment, I wish to express my very great disappointment that we have had no clear pronouncement from the Chief Secretary with regard to his proposed method of *plébiscite* for ascertaining the views of the Irish ratepayers before this measure comes into operation. May I ask from the right hon. Gentleman that before this Debate closes we shall have some more specific announcement? The Committee is entitled to so much guidance from the right hon. Gentleman before being asked to divide on the Amendment. Undoubtedly it would be advantageous if the ratepayers were afforded an opportunity of watching the operation of the Act from time to time and saying whether they will co-operate in its working. This would be a valuable concession to the principle of local control, for it would give the ratepayers the right of deciding whether their credit shall be pledged or not. If it should be found—which I do not apprehend—that popular opinion is against the operation of the Act, then the County Councils could step in and stop it. Of course, the proposal for handing over to the County Boards the duty of adjudicating upon each separate sale is much preferable, and I hope that before the discussion proceeds much further the Chief Secretary will explain fully the views of the Government on this point. With regard to the larger question of the effect of land purchase upon the future settlement of Ireland and the peace of the country, I certainly think that the policy of the Front Opposition Bench is a false one. The policy of the right hon. Gentleman the Member for Newcastle, that the land question ought to be first settled, so that the working of Home Rule would be easier, is the true one from his point of view. It is, indeed, surprising that the right hon. Gentleman has not been able to convert his colleagues to his own more sensible views. I have always been amazed that they have been able to carry the right hon. Gentleman so far along with them as they have done. There can be no doubt that the land question will be a difficult one for any Liberal Government, and if they can get one-third or one-fourth of it out of the way, the task of the right hon. Gentleman and his colleagues will *pro tanto* have been undoubtedly and materially facilitated and assisted. However, now that the scruples of the English Radical school have been voted down by the Committee on the previous Amendment, I hope that the measure will be considered from the Irish point of view, and that the Chief Secretary will express his willingness to assent to any reasonable proposals coming from the Irish Benches which will make the measure a more workable one and remove grave objections entertained by many hon. Members from Ireland to it in its present shape.

Amendment proposed to the proposed Amendment,

After the word "that," in line 1, to insert the words "after the establishment of elected County Councils in Ireland."—(*Mr. Parnell.*)

Question proposed, "That those words be there inserted in the proposed Amendment."

(11.45.) **Mr. FLYNN**: It seems to me that the Amendment now before the Committee would act as a premium to any Conservative Government never to establish County Councils in Ireland; and for this reason: that if there were any possibility of the County Councils or Local Bodies unduly hampering the operation of a Land Purchase Act, the Tory Party would not be anxious to facilitate the creation of such bodies with such inconvenient powers. If the Amendment of the hon. Member for Cork were accepted, it would act as a strong inducement to the present Government and to any future Tory Government never to establish County Government in Ireland. The speech of the Chief Secretary for Ireland naturally divides itself into two parts. With characteristic dexterity he evaded the main point put forward by the right hon. Gentleman the Member for Newcastle, but he addressed himself with great force and, at times, great vehemence of denunciation to a defence of the system of Local Government which he says the Tory Party are to establish next year or the year after. If I understood properly the gesture of the Chancellor of the Exchequer, the Government have already a Bill on the stocks, but I shall refuse to believe in its reality until I see it launched from the stocks. Why did the Chief Secretary flout and sneer at and deride the operation of Local Government in Ireland? Why did he persist in bringing forward unfavourable examples? Why did he quote cases in which Boards of Guardians had been superseded? Is that the way to recommend Local Government for Ireland? Notwithstanding the platonic affection of the right hon. Gentleman the Chief Secretary for the Member for Cork, I entertain a wholesome scepticism as to the intentions of the Tory Party to establish Local Government. The Chief Secretary managed to lay delightful emphasis on the phrase which suggested that they will give circumscribed and limited Local Government. In fact, he foreshadowed that the Local Authorities in Ireland are to be shorn of nearly all power, and will, practically, be of no use whatever. I contend that the larger portion of the right hon. Gentleman's speech was not a defence, but a denunciation and condemnation, of Local Government in Ireland, and an attempt to demonstrate that the Irish people were utterly unfit to take advantage of any legitimate or useful measure. The point which he evaded answering was as to what kind of local control he intends to give to the Irish people. What will be the *referendum* to the ratepayers? And it is important to know this, seeing the suspicious alliance which is now growing up under our eyes. I doubt whether, even to satisfy the Member for Cork, the Chief Secretary will give us the terms of the Reference. All he has done is to tell us in vague terms that he may or may not, in the discussion on Clause 6, outline the intentions of the Government with regard to the *plébiscite.* I think we are justified in calling for a distinct statement on that point, and we tell the Committee and the country that they are drifting into what may become a very dangerous condition of things by failing to deal with these matters. I contend it is absolutely essential to have Local Bodies established in Ireland in order to have some control over the question of land purchase. It is the very essence of despotism and tyranny to tax a locality for any purpose without giving that locality some voice in the management and disposal of the funds thus raised. If you do not give us the opportunity by means of a National Body established in Dublin, and if, at the same time, you refuse to give us control by means of bodies established in the various localities, then I say the Treasury and the British taxpayer will be incurring serious responsibility. I had intended to bring forward a number of cases in which purchasers under the Ashbourne Acts were already complaining of having been forced under threat of eviction to purchase their holdings on terms so onerous as to be impossible of fulfilment. Are you going to repeat that under this Act, and on a large scale? You have by coercion exhausted our country, you have stopped legitimate combinations among tenants, and I should like to know——

THE CHAIRMAN: Order, order!

It being midnight, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again to-morrow, at Two of the clock.
Mr. Flynn

LAW AGENTS (SCOTLAND) BILL.
(No. 69.)

As amended, considered; to be read the third time upon Monday next.

PRIVATE BILL PROCEDURE (SCOTLAND [SALARIES, &c.]

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed, "That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of any Salaries, Remuneration, and Expenses which may become payable under any Act of the present Session to amend the Procedure in regard to Private Bills relating to Scotland."—(*Mr. Jackson.*)

Committee report Progress; to sit again upon Monday next.

CROFTERS' HOLDINGS (SCOTLAND) BILL.—(No. 73.)

Order for Second Reading read, and discharged.

Bill withdrawn.

HERRING BRANDING (NORTHUMBERLAND) BILL—(No. 236.)

Considered in Committee, and reported without Amendment; read the third time, and passed.

PRIVATE BILL PROCEDURE (SCOTLAND) BILL COMMITTEE.

Ordered, That Mr. O'Kelly be discharged from the Committee.—(*Colonel Nolan.*)

Ordered, That Mr. Hunter be discharged from the Committee.

Ordered, That Mr. J. C. Bolton and Mr. Esslemont be added to the Committee.—(*Mr. Arnold Morley.*)

TOWN HOLDINGS COMMITTEE.

Ordered, That Mr. Bryce be discharged from the Committee.

Ordered, That Mr. Randell be added to the Committee.—(*Mr. Arnold Morley.*)

House adjourned at a quarter after Twelve o'clock.

HOUSE OF LORDS,

Friday, 17th April, 1891.

SAT FIRST.

The Earl of Carnarvon, after the death of his father.

NEWFOUNDLAND FISHERIES BILL.

QUESTION—OBSERVATIONS.

The Earl of KIMBERLEY: My Lords, I wish to ask my noble Friend the Secretary of State for the Colonies a question of which I have given him private notice. I have looked at the precedent quoted by my noble Friend the other night with regard to Procedure in the House of Commons in hearing Petitioners at the Bar of that House, and I find that in 1838, upon the Canada Bill, they pursued what seems a very singular course — namely, that although the principle of the Bill was objected to by the Canadians, they read the Bill a second time without Debate, and then Mr. Roebuck was heard on behalf of the colony, and afterwards the Debate, as it was distinctly laid down, took place upon the principle as if the Second Reading was not past, upon the question that the House should go into Committee. But I have been informed that there has been found some precedent in this House the other way. If that is so, I am sure my noble Friend will be glad to take advantage of it, and enable us to pursue the more rational course of hearing the Petitioners if they should think fit to Petition the House first, and read the Bill a second time afterwards, when we are in full possession of their case. I desire to ask the noble Lord whether, if it be found on the further consideration of the matter, that that course can be taken, he will put off the Second Reading of the Bill for a reasonable time?

*The SECRETARY of STATE for the COLONIES (Lord Knutsford): I am much obliged to the noble Earl for bringing this question under consideration. When I made some remarks a few nights ago about the invariable practice of having the Bill read a second time before Counsel were heard against it, I confined them strictly to the House of Commons, but since that time I have found that in the Jamaica case in 1839 in this House Counsel were heard upon the Order for the Second Reading. When the Order for Second Reading was read, Counsel were heard and then the Second Reading was taken. Therefore, in hearing Counsel before the Second Reading, we should be acting strictly in accordance with the precedent of 1839, which was the last time that Counsel were heard at the Bar of this House. Moreover, since I made those remarks my attention has been called to the fact that the Procedure of the House of Commons has been altered since 1839, and, whereas formerly after the Second Reading of a Bill there was an opportunity of further Debate on the Motion that the Speaker do leave the Chair—and that is the Motion to which my noble Friend has referred, and on which the Debate took place—that has now been swept away, and the consequence is that the Speaker leaves the Chair at once on the Bill going into Committee. Therefore, it is probable in the House of Commons, under the altered procedure, if the representatives of Newfoundland desire to be heard in the House of Commons, they would be heard before the Second Reading. In view of that fact, and considering also that it is desirable that there should be uniformity of action between the two Houses, I propose not to move the Second Reading of the Bill on Monday, but to put it down for Thursday or Friday, and that will give plenty of time for the Petition, which I believe is nearly if not quite ready to be presented, and for the Motion to be made that Counsel be heard before the Second Reading.

The Earl of DUNRAVEN: Perhaps it would be convenient to your Lordships that I should take this opportunity of saying that I shall have a Petition to present from the Legislature of Newfoundland praying to be heard by Representatives at the Bar of your Lordships' House with reference to the legislative proposals of the Bill which has been introduced by the Government. I shall, therefore, on the Second Reading of the Bill, move that the prayer of the Petition be granted.

THE AUSTRALIAN CONVENTION.

QUESTION—OBSERVATIONS.

*Lord NORTON: In asking Her Majesty's Government whether they would lay upon the Table of the House Papers relating to the draft constitution agreed to by the Australian Convention, said: My Lords, I know that the Draft Bill for the Constitution agreed to by the Convention for the Australian Colonies has appeared *in extenso* in the newspapers, and it is for that reason, and because of the comments which have been made upon it in the Press, and in general conversation, that I think it would be most desirable that the noble Lord should, as soon as possible, give what I may call an authoritative correction of a very false impression which has become prevalent of the nature of this Bill, and which, for the great interests involved, requires information before the discussion of the Bill in the Imperial Parliament, and before its ratification by any of the individual Australian Colonies. It seems to be considered by many that the Bill shows an intentional departure from the Constitution of the Mother Country, and that its framers have preferred for its model the more democratic version of that Constitution, which a blunder in policy led our most powerful old colonies, now the United States, to adopt in actual separation from us. I believe that more authoritative information, and the presentation of Papers upon this subject, will show precisely the reverse, that the closest possible reproduction of the Home Constitution has been aimed at by the Australians as far as possible in a distant colony. The circumstances of a new and offset community are, of course, such as not to admit of an actual *fac simile* of the ancestral Constitution, but as far as they could adhere to it it seems to me they have. The double House of Legislature was at once adopted by the Convention, without any Debate whatever. This point, indeed, is universally agreed upon. It was long ago exhaustively discussed by the founders of our first great colonies, and the celebrated lessons drawn from their English experience, and recorded in the *Federalist*, have left no rational question as to the necessity, in the interests of freedom, of a Second Chamber in the Legislature to check the tyranny of sudden impulse or inconsiderate changes emanating from the single action of the first. That being conceded without any difficulty, and at once adopted, the principal Debate of the Convention was upon the *status* of their Senate and its composition, and I think it is clear, as far as we can gather from their Reports, there was a wise consensus that, in imitation of the House of Lords, the Senate should be as differently composed as possible from the Representative Assembly. The object clearly was, and wisely so, to make the two Chambers supplement each other, as the centripetal and centrifugal forces combine in mutual regulation, and to avoid anything like rivalry or conflict which might be caused by similarity of composition. The difficulty, of course, was in a new Assembly to make such a distinction. This old country has the enormous advantage of old-established and long-accustomed emanation of one of the Chambers from the Crown, and of the election of the people, or rather, I would say, the managers of the people, for the constitution of the other. There is a difficulty in that extent of distinction being imitated by a new community. The utmost they can do is to make two Chambers by as different kinds of election as possible, but no difference of election can completely succeed in constituting such an unconflicting partnership as we enjoy in the old country. The Australians seem, as far as possible, to have followed the example of the United States, which adopted, as far as they could, the model in this respect of the Constitution of the old country. I think the Australians in the Convention have shown an anxiety to keep their country within what I may call the popular Monarchy of the British realm, and avoid any appearance of separating themselves from it, or of substituting for themselves a pure Democracy. It is in the hope of this being made clear while the Bills for this purpose are still under discussion that I put the question; and as the subject will soon have to come before this House for discussion, it is desirable that there should be no prejudice from the American terms in the Bill. Therefore I beg to ask the noble Lord if he will furnish these Papers, and, if so, as soon as possible, for I think it is important that they should be presented at an early date?

*LORD KNUTSFORD: My Lords, it is not the practice to present to Parliament unauthenticated newspaper reports of proceedings, however important, and at present the Colonial Office has only received, two or three days ago, two numbers of the Official Record of the Debates, and those two numbers carry the account of the proceedings only up to the third day. It would be very undesirable, nor do I imagine that the noble Lord would wish it, to present the Papers in an incomplete form, that is, giving each number of the Record as it comes over here. I propose, therefore, to wait until we have the whole of the Official Record. When complete, I see no objection, on the contrary, I see every reason, why the Papers should be presented to Parliament. The noble Lord asks me to give an authoritative statement as to the point which he has raised. I can conceive nothing more unwise than that the Secretary of State for the Colonies should give his view upon Debates which have recently taken place in Australia. I can give, however, if I may be allowed to do so, an "authoritative statement" of my opinion upon one point, and that is that every one who reads the Debates, even as they appear in the newspapers, must be sensible of the good common-sense judgment and ability with which the proceedings in the Convention have been conducted.

PUBLIC BODIES (PROVISIONAL ORDERS) BILL.—(No. 74.)

SECOND READING.

Order of the Day for the Second Reading, read.

*LORD THRING: My Lords, this is a Bill to remove a doubt which exists as to certain provisions with regard to the application of borough funds under the Borough Funds Act and the Local Government Act of 1888, when considered in relation to the Railways and Canals Traffic Act. The question, though a very small one, is this: Under the Borough Funds Act and the Local Government Act, Local Bodies are given the power of opposing, at the expense of the rates, any local Act. Under the Canals Traffic Act, the Local Government Board had power to make Provisional Orders, but, instead of calling them Local and Provisional Orders, they have been called Public Acts; and some weighty authority in the law has declared that there is a doubt whether under those circumstances Local Bodies can oppose these Provisional Orders under the Canals Traffic Act. I need not tell your Lordships that there cannot be a shadow of doubt they are more than within the mischief of the Acts. These are provisions which affect all Local Bodies. It was obviously intended that the provisions of the Borough Funds Act and the other Act I have mentioned, the County Act should apply, and that the Local Bodies should be allowed to oppose those Acts which involve matters that may be prejudicial to them. I therefore ask your Lordships to allow this Bill to be read a second time, so as to settle the doubt by placing for this purpose the borough funds under the provisions of the Canals Traffic Act.

Bill read 2ª (according to order), and committed to a Committee of the Whole House on Monday next.

EVIDENCE BILL [H.L.]—(No. 71.)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

LORD DENMAN: I have to trouble your Lordships with a few observations upon this Bill. This is a very great change in the law, and the Grand Committee will have considerable trouble in arriving at a conclusion in respect of it. We have had Law of Evidence Amendment Bills passing first in this House and then in the other House, but no decision come to upon them. By this Bill any person accused of murder may be allowed to swear to his innocence——

THE LORD CHANCELLOR: Will the noble Lord allow me to interrupt him in order to prevent his speaking under a misapprehension? This Bill contains no such provision as he imagines; it is simply a Bill for the consodidation of the existing law.

*LORD DENMAN: I am much obliged to the Lord Chancellor for correcting me, and I will not trouble your Lordships with further remarks.

House in Committee (according to order); Bill reported without Amendment, and re-committed to the Standing Committee.

TRUSTEE BILL [H.L.]—(No. 72.)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

*Lord DENMAN: My Lords, this Bill deals with a very important subject. For the protection of Trustees a Bill was brought in on a former occasion saving them from all liability if they had invested money of *cestius que trusts* in undertakings without limited liability, and that was a great step in advance. There is also a very important alteration in this Bill in reference to the Law of Breach of Promise. My noble Friend who generally sits on the Front Opposition Bench wished to entirely abolish all such actions, and there is a provision in this Bill, as far as I read it, by which those actions will not go forward. This may be just, and probably will be so. In regard to taking evidence, I fear that perjury has greatly increased in County Courts by the admission of parties as witnesses in their own cases. I have watched this as a Magistrate, and I have seen that in certain cases there is almost sure to be unblushing perjury committed, and the persons implicated seem to glory in it. I trust that the Grand Committee will take these few observations of mine into consideration as I am afraid I shall not be able to attend upon it, and I very heartily wish success to this Bill.

The LORD CHANCELLOR: Lest any misapprehension should be caused in the mind of any of your Lordships by the remarks of the noble Lord, I wish to say that this also is purely and absolutely a Consolidation Bill. There is not a single alteration in the law proposed by it, and, as I have said, it is simply for consolidating in one Act what is at present spread over a great number of Statutes.

House in Committee (according to order); Bill reported without Amendment, and re-committed to the Standing Committee.

MIDDLESEX REGISTRY BILL.—(No. 87.)

COMMITTEE.

House in Committee (according to order).

*Lord DENMAN: This Bill is certainly a very necessary one, because a very important office has been discontinued, and now there is a power given to the Lord Chancellor to arrange everything under this Bill. The noble and learned Lord will have a most difficult task in arranging how those who have really to do the duty shall be remunerated in future; but in case his Lordship's alterations should not meet the approbation of the country, I do think the country and both Houses of Parliament ought to have an opportunity of seeing what those alterations are. Therefore, I venture to move that this Bill should only be for the space of one year. That course was adopted with regard to the Ballot Bill, and it has been a continuance Bill from year to year. I do not believe that any inconvenience would arise from the adoption of this Amendment.

The LORD CHANCELLOR: I am afraid I cannot acquiesce in what the noble Lord suggests. Practically, the effect of this Bill is to put into the coffers of the State what has hitherto gone to the holders of a particular office I may remind your Lordships that the history of the Middlesex Registry has been rather a curious one. From time to time its numbers have been altered. By a Statute of Anne it had consisted of four Registrars. The number was then reduced to two; but, though there was then power to appoint in respect of two, the good feeling of those who had the right of appointment induced them not to exercise that power, and only one was appointed. The effect of the present Bill is that, there being an existing staff in the Registry office which exists for the purpose of registering titles, there shall be amalgamated with it the Middlesex Registry, which for all purposes will have the same staff and be worked in the same manner as formerly, except that there will be a real head actually working. Under those circumstances I cannot recommend to your Lordships that the improvement should only last for one year, the whole object of this Act being to amalgamate the two systems together and to nominate one person as the responsible head for the administration of the office. I must, therefore, ask your Lordships to negative the noble Lord's Amendment.

*Lord DENMAN: I am quite satisfied with having been the means of obtaining from the noble and learned Lord an explanation of what his views are upon this question.

Amendment (by leave of the Committee) withdrawn.

Bill reported without Amendment; Standing Committee negatived; and Bill to be read 3ª on Monday next.

ELECTORAL DISABILITIES REMOVAL BILL.—(No. 85.)

SECOND READING.

Order of the Day for the Second Reading, read.

The LORD CHANCELLOR: My Lords, this Bill is to supply a defect which has been found to exist in the Act with reference to persons exercising the franchise. By a particular decision it has been adjudicated that persons absent, although away on public duties, during the qualifying period, were deprived of their franchise. That has been considered to be unjust, and therefore the object of this Bill, which has passed the other House, is to remove that difficulty by providing that persons absent in the performance of public duties during the qualifying period, not exceeding four months, should not on that account be deprived of the franchise. Your Lordships will no doubt consider that they should be permitted to exercise their right of franchise notwithstanding their absence for that period.

Read 2ª (according to order), and committed to Committee of the Whole House on Monday next.

HERRING BRANDING (NORTHUMBERLAND) BILL.—(No. 92.)

TAXES (REGULATION OF REMUNERATION) BILL.—(No. 93.)

Brought from the Commons; read 1ª, and to be printed.

REGISTRATION OF CERTAIN WRITS (SCOTLAND) BILL [H.L.]

Returned from the Commons; agreed to.

House adjourned at five minutes before Five o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 17th April, 1891.

The House met at Two of the clock.

QUESTIONS.

INDIAN AGRICULTURE—MR. VOELCKER'S REPORT.

Mr. SCHWANN (Manchester, N.): I beg to ask the Under Secretary of State for India whether the Secretary of State for India has received a Report from Mr. J. Augustus Voelcker, Ph. D., B.A., B.Sc., recently deputed to inquire into and report upon the agriculture of India, containing his main conclusions and recommendations concerning the improvement of Indian agriculture, more particularly such improvement as might result from the teachings of science; and when the Secretary of State expects to be able to make Dr. Voelcker's Report public?

*The UNDER SECRETARY of STATE for INDIA (Sir J. Gorst, Chatham): We expect to receive the full Report of Dr. Voelcker in the autumn; and the Secretary of State does not anticipate that there will be any difficulty in making it public.

Mr. SCHWANN: After it has been received how long will it be before it is made public?

*Sir J. GORST: If the hon. Member will move for it after it has been received, I have no doubt that I shall be able to give it at once.

MANIPUR.

Colonel NOLAN (Galway, N.): I beg to ask the Under Secretary of State for India if his attention has been drawn to the statement in Thursday's *Times*, that all villages in Manipur which offer resistance are to be burned; if the

Secretary of State for India will enjoin on Commanders of Columns that no village shall be burned for offering resistance unaccompanied by cruelty to wounded or to prisoners, or by treachery on the part of that particular village; and if it is the custom, in waging war in the Frontier States of India, to depart from the usual customs of civilised war without the personal sanction of the Empress of India?

*SIR J. GORST: The Secretary of State has not received any official information as to the statement in the *Times* that all villages in Manipur which offer resistance are to be burned, or in regard to the operations of the troops at Manipur. He has the fullest confidence that the Government of India will in any Proclamation they may issue act with due regard to those principles of justice and mercy which have always been observed in our Indian frontier wars.

COLONEL NOLAN: May I ask the right hon. Gentleman to be a little more explicit. Is he prepared to deny that the statement gravely and officially given in the *Times* is founded on fact; and, if so, is he going to leave it to chance whether villages may be burned down or not, the people probably being engaged only in defending their houses? Will the Government give orders that villages are not to be burned unless there is an absolute necessity for so extreme a course under the rules of civilised warfare?

*SIR J. GORST: The Secretary of State will not assume that the Government of India will act with impropriety, and, therefore, there is no necessity to direct them to act properly. He will rather assume that they will act properly, and will take no steps unless there is direct evidence that they have not done so.

COLONEL NOLAN: Will the Under Secretary explain whether a British Column will be allowed to act differently in this expedition from the way in which a German Column would act against France in a European war? Is he not of opinion that that would be improper?

*SIR J. GORST: Certainly, Sir.

MR. E. ROBERTSON (Dundee): Is it the fact that the troops put to death women and children?

*SIR J. GORST: I have seen such a statement in the newspapers, but there is no official information of the kind.

CHARGE OF CRIMINAL CONSPIRACY.

MR. E. ROBERTSON: I beg to ask the Lord Advocate whether his attention has been called to the case of two men who were tried in the Sheriff Criminal Court, Glasgow, on the 30th of March, and found guilty of criminal conspiracy, on the ground that the accused, being members of a Trades Union, called out, or said they would call out, their fellow-members unless a non-unionist fellow-workman was dismissed; whether his attention has been called to the comments of the learned Sheriff on the novelty of the charge, and his statement that its legality had been ascertained by the trial; and also to the ruling that the exemption from the Common Law of Conspiracy contained in "The Conspiracy and Protection to Property Act, 1875," does not extend to trade disputes between workmen; and whether, having regard to the great importance of the issues involved, he will consent to lay upon the Table an authentic Report of the proceedings, including the Sheriff's charge to the jury?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): These men were convicted by a jury on a Common Law charge of conspiracy to deprive a man of the means of earning his livelihood as a dock labourer by making threats to his employers that if he was retained in their employment the accused would withdraw from their employment all members of the Trade Union. The man who was thus persecuted was a member of the Union, who had a difference with some of the office bearers, and declined to pay some fines which they had imposed. The accused followed him about wherever he got employment and compassed his dismissal in each place. The statements in the second paragraph of the hon. and learned Member's question are inaccurate. The learned Sheriff, I believe, remarked that the case was, he was glad to say, unusual in Scotland, and that all concerned would be made aware through the trial of the illegality of such proceedings. He also directed the jury that there was no evidence that the illegal acts were done in furtherance of a trade dispute between employers and workmen, and that, therefore, the exemption in the 3rd section of the Act of 1875 did not apply. There is no official record of the learned Sheriff's Charge, and the official record of the proceedings is merely in the usual form. I do not propose to lay any Papers on the Table.

MILITIA COMPETITIVE EXAMINATION.

MR. D. SULLIVAN (Westmeath, S.), I beg to ask the Secretary of State for War when the result of the Militia competitive examination, held on the 17th, 18th, and 19th of last month, will be communicated to the candidates?

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): The result of the examination will be made known on the 21st of this month.

POISONING AT CRIEFF.

DR. CAMERON (Glasgow, College): I beg to ask the Lord Advocate whether his attention has been called to the recent case of wholesale poisoning at Crieff; how many persons were affected with symptoms of poisoning, and in how many did fatal results supervene; whether any official investigation has been made into the occurrence, and by whom; and whether, as reported, the poisoning has been traced to the use of impure sugar; if so, whether the nature and origin of the poisonous impurity have been determined?

*MR. J. P. B. ROBERTSON: I am sorry to learn that about 100 persons were affected with symptoms of poisoning, and that two of them have died. An official investigation is being conducted by the Procurator Fiscal, and is now almost complete. The poisoning seems to have been due to the persons affected having partaken of sugar, the bags conveying which had come in contact, in course of transit in a railway waggon, with a case containing several tins of a preparation called "Climax Weed Killer," a substance which contains arsenic. The case was leaking, and samples of the sugar have been analysed and found to contain arsenic in dangerous quantities.

DR. CAMERON: As the matter is one of very great public interest, will the right hon. Gentleman consider the propriety of obtaining such a Report as he can make public?

*MR. J. P. B. ROBERTSON: There will be a special inquiry, and Papers will be called for.

SALMON FISHERIES ACTS.

MR. MACARTNEY (Antrim, S.): I had intended to ask the President of the Board of Trade what are the Salmon Fisheries Acts and the sections thereof relating to the placing of gratings in watercourses, millraces, or other channels for conveying water for working mills; and whether there are any special provisions relating to mills worked by turbines; and, if so, if he will state the Acts and sections containing these special provisions? At the request of the President of the Board of Trade, I beg to defer the question until Monday.

METROPOLITAN DISTRICT POST OFFICES.

MR. LAWSON (St. Pancras, W.): I beg to ask the Postmaster General when the Overseers of the Metropolitan District Post Offices may expect to receive a detailed answer to their Petition of November, 1889, or whether the new scale of pay recently adopted is to be considered an answer; if so, whether he is aware that the Overseers are paid in many cases at a lower rate of wages than sorters over whom they exercise supervision; and if he is prepared to recommend a scale of pay more in accordance with the nature of their duties?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The decision of the Treasury dated the 16th February, 1891, fixed the scale of the Overseers referred to as follows:—First Class, 56s. by 2s. to 66s., in lieu of 52s. by 2s. to 62s.; Second Class, 40s. by 2s. to 56s., in lieu of 40s. by 2s. to 50s. It is not the case that a scale of wages has been fixed for Overseers lower than that given to the sorters whom they supervise, although it may be the case that a sorter of long service on his class may receive through special allowance more than an Overseer Class II. of short service on his class. I may mention that new allowances of 5s. a week are given to 83 Second Class Town District Overseers in addition to their wages, in order to mark the distinction between the two classes. I am not now able to say if the Treasury would be disposed to re-consider a decision so recently arrived at, and which has scarcely had time to come into operation.

NEWFOUNDLAND.

MR. BALLANTINE (Coventry): I beg to ask the Under Secretary of State for Foreign Affairs whether, by the terms of the Agreement between Great Britain and France, submitting to arbitration questions relating to the lobster fishery on the Coast of Newfoundland, it is open to the arbitrators to decide that the French are entitled to erect permanent lobster factories on the so-called French shore; and whether the names of three Foreign jurists, selected to act as arbitrators, were suggested by the French Government; and, if not, in what manner were they chosen and their qualifications ascertained?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The first Article of the Agreement between Great Britain and France says that the Committee of Arbitration shall judge and decide all the questions which shall be submitted to it by either Government or by their delegates concerning the catching and preparation of lobsters on the Coast of Newfoundland. But it will be seen, on reference to the Correspondence, that the French Government have never attempted to claim a right to erect permanent factories, their argument having been based on the statement that their factories are temporary erections. The terms of the Treaty of Utrecht are quite clear as to forbidding permanent buildings of any kind by the French. For the purpose of the selection of the jurists, several Foreign Governments were requested to suggest names of properly qualified persons, and the choice was then made by common consent.

MINES (EIGHT HOURS) BILL.

MR. PICKARD (York, W.R., Normanton): I beg to ask the First Lord of the Treasury whether he is now able to arrange a day to continue the Debate on the Second Reading of the Mines (Eight Hours) Bill?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I am unable to arrange a day for the continuance of the Debate on the Second Reading of this Bill.

MR. PICKARD: Will the right hon. Gentleman be able in the course of the Session to grant a day?

*MR. W. H. SMITH: It will depend entirely upon the progress of Public Business. I am certainly not encouraged by the present progress that is being made at the present time.

POSTAL ARRANGEMENTS IN WEXFORD.

SIR T. ESMONDE (Dublin Co., S.): I beg to ask the Postmaster General whether, in view of the increase of labour which the recent change in the local postal arrangements entails upon the letter carrier from Gorey to Killnerin, County Wexford, the Post Office will allow him an increase of pay sufficient to enable him to keep a cart?

*MR. RAIKES: I find that the wages of the postman referred to by the hon. Member have already been raised in consideration of the recent addition to his work. As a matter of fact, the circumstances did not warrant a mounted service; but as the postman had for several years voluntarily used a pony and cart in performing his official duties, I sanctioned, as a matter of grace and favour, an allowance in aid of the keep of the pony. I think the hon. Baronet will be of opinion that the postman has been justly and even liberally treated.

ILLEGAL FISHING IN LOUGH DERG.

SIR T. ESMONDE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that fishing with an otter has been declared illegal on Lough Derg, County Tipperary; and if he is also aware that licences have been already taken out this season for otter fishing on that lake; and, if so, whether those who have paid for those licences will be allowed to make use of them?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Inspectors of Irish Fisheries report that the use of the otter is illegal everywhere in Ireland under statute. Licences have not been issued for otter fishing on Lough Derg, County Tipperary. They have been issued for crosslines, but this would not authorise the use of the otter, which, as above stated, is expressly prohibited by statute.

THE LAND PURCHASE BILL.

Mr. KNOX (Cavan, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what does he estimate to be the number and acreage of the holdings in each province in Ireland which will be excluded from the operation of the Land Purchase Bill by Clause 6, (a) as pasture, and (b) because the tenant is non-resident; and what are the sources of the information upon which his estimate is based?

Mr. A. J. BALFOUR: I have not got the figures with me to-day, and I am unable to give the hon. Gentleman an account. Perhaps it will be more convenient to defer the question until I am able to obtain the figures.

Mr. KNOX: If I put down a question for Monday, will the right hon. Gentleman be able to answer it?

Mr. A. J. BALFOUR: I think so.

In reply to a question by Mr. T. M. Healy (Longford, N.),

Mr. A. J. BALFOUR said: There is no doubt that "pasture" includes both dairy pasture and stockland. I will endeavour, if possible, to obtain particulars in regard to each.

Mr. T. M. HEALY: The right hon. Gentleman is probably aware that his Bill is really more stringent than the Land Act of 1881.

Mr. M. KENNY (Tyrone, Mid.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if the Committee stage of the Land Department (Ireland) Bill will be proceeded with immediately after the Purchase of Land and Congested Districts (Ireland) Bill has passed through Committee?

Mr. A. J. BALFOUR: I do not think it is desirable at this stage to make any definite promise.

Mr. T. M. HEALY: Will it be taken before the Third Reading of the Land Purchase Bill?

Mr. A. J. BALFOUR: I shall be prepared to answer the question when we reach that stage.

IRISH RELIEF WORKS.

Mr. KNOX: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any, and if any what, relief works have been commenced in County Cavan; and whether the contemplated roads in the barony of Tullyhaw, for which presentments were refused by the Grand Jury (although the County Surveyor declared them to be works of great public utility) on account of a letter received from the Under Secretary, will be made as relief works?

Mr. A. J. BALFOUR: No necessity has so far arisen for the opening of relief works in the County Cavan. The case stands in this way: In every district in Ireland where it has been thought likely that relief works would be required the Grand Jury have been asked if they would permit the services of the County Surveyor to be utilised. A letter has been written to every county to that effect, perhaps not so well expressed as it might have been.

Mr. KNOX: The right hon. Gentleman admits that the letter was not well expressed. It certainly conveyed a false impression to the County of Cavan; and I trust the right hon. Gentleman will consider the desirability of directing such relief works to be made as are urgently needed.

Mr. A. J. BALFOUR: I do not think that any misapprehension can have been created in the minds of the Grand Jury of Cavan. It is rather a matter for the Guardians than for the Grand Jury.

Dr. TANNER (Cork Co., Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any relief works were recommended by the Local Government Board (Ireland) Inspectors in the Ballyvourney and Kilnamartyra districts, in the County of Cork; and, if so, why such works are not being proceeded with?

Mr. A. J. BALFOUR: The districts mentioned are receiving the careful attention of the Government. But I am glad to say there is no present necessity to open relief works in them.

Dr. TANNER: Is it not the fact that seeing the absolute destitution which is almost impending it was promised some time ago by the Local Government Inspectors that two roads should be opened?

Mr. A. J. BALFOUR: I am unable to answer that question.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if the proposed Donoughmore and Blarney Light Railway has been commenced, and how many labourers of the district have been employed on the works?

MR. A. J. BALFOUR: I understand that the proposed line of light railway has been all surveyed, but that the works have not yet been commenced.

DR. TANNER: I understood the right hon. Gentleman to say two months ago that the works had been commenced, but the information given to the right hon. Gentleman appears to have been misleading and false. Is there any chance of the works being commenced soon?

MR. A. J. BALFOUR: The hon. Gentleman should apply to the promoters of the line for that information.

COLONEL NOLAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what relief works are in progress in the Tuam and Glenamaddy unions?

MR. A. J. BALFOUR: No relief works are in progress in either of the unions mentioned. I do not think the necessity has yet arisen.

COLONEL NOLAN: Did not the right hon. Gentleman state a month or five weeks ago that works were in contemplation and almost in progress in one of the districts? How does he reconcile that statement with his present answer?

MR. A. J. BALFOUR: In consequence of representations made, partly by the hon. Member and partly in other quarters, works were started in one of the unions at the ordinary rate of payment.

COLONEL NOLAN: How much?

MR. A. J. BALFOUR: It was at the ordinary rate, but the people refused to work for it.

COLONEL NOLAN: How much was it?

MR. A. J. BALFOUR: I believe it was about 5s. a week.

MAIL SERVICE IN THE NORTH OF IRELAND.

CAPTAIN M'CALMONT (Antrim, E.): I beg to ask the Secretary to the Treasury whether, with regard to the establishment of an accelerated mail service to and from the North of Ireland by Larne and Stranraer, and in consideration of the fact that the matter has now been under the consideration of the Government for some 12 months; that public meetings have been held in Belfast under the presidency of the Mayor, and in other large towns; that Memorials have been forwarded from numerous Public Bodies, as well as one signed by Her Majesty's Lieutenants for the Counties of Antrim and Londonderry, and by the Members of Parliament for those counties; and that a large and representative deputation waited on the Postmaster General in June last, all in favour of the route being subsidised without delay, he is now in a position to make any statement with regard to the matter?

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N): The question of an accelerated mail service to Belfast and the North of Ireland has been receiving the most careful consideration of the Postmaster General and the Treasury. At this moment the Postmaster General is considering a suggestion recently made to him to send a portion of the mails by Greenore so as to give a later hour for posting in certain districts. The information obtained appears to point in the direction of an acceleration which could be obtained by utilising for a large portion of the mails the service by Kingstown. The estimated cost of the Larne and Stranraer route is very large. I am aware that my hon. and gallant Friend believes that an increased expenditure of about £15,000 a year would suffice. No proposal, however, in any official form, has been made for less than £25,000. I am inclined to think that it would be impossible to have an improved service to all parts of the North of Ireland at a less cost. I shall be glad to tell the hon. Gentleman anything further if he will speak to me.

In reply to Mr. LEA (Londonderry, S.),

*MR. JACKSON said: It is the duty of the Government to consider in what form and at what cost the best service can be provided. There is every desire to improve the mail service to Belfast and the North of Ireland, but it is necessary that certain communications should take place before a conclusion is arrived at. I hope very shortly to be able to make an announcement.

COLONEL WARING (Down, N.): Are we to consider that the question of conveying the mails by way of Greenore has been seriously considered?

*MR. JACKSON: My hon. and gallant Friend is to understand exactly what I said. I stated that a suggestion had been made to my right hon. Friend the Postmaster General, that a certain portion of the mails might be sent by that route which would enable letters to be posted at a later hour than is possible by any other route. My right hon. Friend is endeavouring to ascertain if it is possible to make a selection.

LOCAL REGISTRATION OF TITLE (IRELAND) BILL.

MR. M. J. KENNY: I beg to ask the Attorney General for Ireland whether he will consent to commit the Local Registration of Title (Ireland) Bill to the Standing Committee on Law, &c.?

*THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The suggestion is one that is deserving of careful consideration, and I shall be glad to confer upon it with hon. Members on both sides of the House who take an interest in the question.

MR. M. J. KENNY: In the preparation of the Bill was Leach's Report taken into consideration?

*MR. MADDEN: As a matter of fact the Bill is, in substance, identical with that which was introduced last year, which was proposed before the Report referred to by the hon. Member was published. In revising the Bill of last year, before re-introducing it, I had regard to this Report, as well as to various suggestions which persons interested in the measure were good enough to offer me.

BUSINESS OF THE HOUSE.

DR. CLARK (Caithness): I wish to ask the First Lord of the Treasury whether he will consider the desirability, in consequence of so many Members sitting on Grand and Select Committees, of still further modifying the Rule as to Morning Sittings on Tuesdays and Fridays, by having the Morning Sitting from 3.0 to 8.0 and the Evening Sitting from 8.30 to 12.0? [*Cries of* "Oh!"]

*MR. W. H. SMITH: I do not believe I could make a more unpopular proposition to the House than that indicated in the suggestion of the hon. Member. I have considered, so far as the means at my disposal have allowed me, the suggestion made yesterday with regard to the alteration of the Standing Order affecting the Evening Sittings on Tuesdays and Fridays, when following Morning Sittings, and I intend to put a Motion on the Paper for Monday at 12 o'clock —that is to say, after the ordinary business has been disposed of—for the consideration of the House. If the House is disposed to accept it I should be very glad to move it, but it is one which is entirely for the House itself to decide. It is not in any way a matter which the Government would think it right to press upon the House. The Motion I should make would be that the Sittings on Tuesday and Friday evenings shall be held subject to the rules which regulate the ordinary Day Sittings. The result would be that the Debate would be suspended at 12 o'clock, and that any Opposed Business could not be taken after that hour. If it were possible to dispose of any Motions which are not opposed, or to go through the Orders of the Day for the purpose of fixing them for a future day after 12 o'clock, that I think would be a convenience to hon. Members generally. It would also afford facilities which the present rules deny to hon. Members, to get the stage of an Unopposed Bill, or to get an Unopposed Motion accepted by the House. I make this statement by way of explanation, but I trust the House will understand that in putting the Motion down for 12 o'clock on Monday, I do not wish to urge the House to accept it then if further time is desired for its consideration, or if there is any considerable feeling against it. It would be obviously in the power of any hon. Member to object to the Motion.

MR. T. M. HEALY: May I ask whether the rule as to Unopposed Business or General Business between 12 and 1 would be different from the present rule?

*MR. W. H. SMITH: Precisely the same rule which takes effect at 12 o'clock at an ordinary Sitting will apply.

*MR. CAUSTON (Southwark, W.): Do the Government intend to take the Report of Supply on Tuesdays and Fridays?

*MR. W. H. SMITH: Certainly, Sir.

MR. J. E. ELLIS (Nottingham, Rushcliffe): As several Bills have been referred to the Standing Committee on Law may I ask when the Committee will sit?

*MR. W. H. SMITH: I have no official information, but I believe the Committee will sit on Thursday next.

MOTION.

FIRE BRIGADES (EXEMPTION FROM JURY SERVICES) BILL.

On the Motion of Viscount Curzon, Bill to exempt Members of Fire Brigades from service on Juries, ordered to be brought in by Viscount Curzon, Sir Edward Birkbeck, Mr. Dixon-Hartland, Mr. Sexton, Mr. Gully, Mr. Baird, and Sir Albert Rollit.

Bill presented, and read first time. [Bill 284.]

ORDERS OF THE DAY.

REGISTRATION OF CERTAIN WRITS (SCOTLAND) BILL.—[Lords.]—(No. 272.)

COMMITTEE.

Considered in Committee.

(In the Committee,)

(2.45.) Clauses 1 and 2 agreed to.

Preamble.

Motion made, and Question proposed, "That this be the Preamble of the Bill."

MR. T. M. HEALY (Longford, N): I beg to move that the Committee do not agree to the Preamble unless we can have it fully explained by the Lord Advocate. As it is drafted, it is unintelligible and meaningless, and it is impossible to understand it.

THE CHAIRMAN: It is unnecessary to move the rejection of the Preamble. All that is requisite is to say "No" to the Question that the Preamble stand part of the Bill.

The House divided:—Ayes 131; Noes 55.—(Div. List, No. 137.)

Bill reported, without Amendment.

Bill read the third time, and passed, without Amendment.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

Amendment proposed,

In page 2, line 2, at the end of the Clause, to add the words,—"Provided that no Guaranteed Land Stock shall be issued by way of advance in any county for the purchase of any holding unless the making of such advance in that county shall have been previously approved by a resolution of the county council elected to represent the county in which the holding is situate, under an Act of this or the next ensuing Session of Parliament."—(*Mr. John Morley.*)

Question proposed,

"That the words 'Provided that no Guaranteed Land Stock shall be issued by way of advance in any county for the purchase of any holding unless the making of such advance in that county shall have been previously approved' be there added."

Amendment proposed to the proposed Amendment,

In line 1, after the word "that," to insert the words "after the establishment of elected county councils in Ireland."—(*Mr. Parnell.*)

Question again proposed, "That those words be inserted in the proposed Amendment."

(3.0.) MR. SEXTON (Belfast, W.): It appears to me that if this House is sensible of its agrarian or financial obligations to Ireland we should not be troubled with this question of local control. You are not established in that country as the friends of the Irish people. The land system has been a fearful curse to the Irish people and a frightful source of misery and crime. If you are now proposing not to put an end to the system, but to modify it, you do so primarily, not for the good of the Irish people, but to rescue the Irish landlords from an untenable position, and secondly, for the greater ease and tranquillity of the Imperial State. It is only ultimately and incidentally that you contemplate the good of the Irish people. The measure is one of Imperial policy, and therefore the responsibility should be Imperial. I have spoken of financial obligations to Ireland. When I remember that you have invested Ireland with full responsibility for your National Debt and that you have been exacting from her for many years a contribution to the Imperial revenue double what she can afford, I say that, far from taking of the favour you confer on us from your Imperial credit, if you were to make Ireland a present of the £30,000,000 it would go a very little way to rid you of the financial obligation you owe to her. I protest against the language employed by the Chief Secretary last night, when he spoke of Imperial credit as being yours in a sense distinct from ours. It is ours as well as yours and ours much more than yours. Ireland gives one-sixth of her earnings to the Imperial credit, while England only gives one-twelfth. The speech of the Chief Secretary in regard to this matter shows the hypocrisy of the theories of Unionism. The right hon. Gentleman appeared to imagine that he was establishing an equipoise by putting a burden upon the Irish people and the credit upon the English people.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): My statement last night was to the effect that without the aid of Imperial credit the scheme of the Bill could not be carried out, because it would be impossible to work it if it were based upon Irish credit alone.

MR. SEXTON: The right hon. Gentleman endeavoured to establish an equipoise of credit on one side and of burden upon the other. He put one against the other. There could not have been laid down a clearer line of demarkation and division. But I maintain that the credit to be pledged is as much Irish as English, and, therefore, what the right hon. Gentleman offers to the Irish people resolves itself into the old formula of "Heads I win, tails you lose." But if you follow the simple rules of equity and common sense an Imperial Guarantee will be unnecessary. If the price given for the land is merely the value of the tenant's interest, *plus* that of the landlord, there will be no necessity for the scheme to be backed up by Imperial credit, because there will then be a security approximating to double the value of the advance in the value of the land itself.

THE CHAIRMAN: The hon. Member appears to be re-opening a question that was determined last night. The question before the Committee is whether the approval of the County Councils shall be required in each case before the purchase takes place.

MR. SEXTON: Last night the right hon. Gentleman the Chief Secretary was allowed to roam over the whole field of public policy.

THE CHAIRMAN: Only in connection with this question. I must repeat that the question now before the Committee is solely as to whether the approval of the County Councils should be required in cases of land purchase.

MR. SEXTON: I will close the matter in one sentence by saying that the personal guarantee would be absolutely sufficient except in the event of a public calamity. The argument is that in case of a deficiency arising in Ireland under the provisions of this Bill, which the Government appear to have arranged for, it is proposed to take the control of the matter from the House of Commons, and to hypothecate money which has been guaranteed to Ireland, and is absolutely her property under statutory contract, for the purpose of meeting it. If that argument is to hold good then at this moment Ireland is entitled to have her own Parliament, because the Act which gave it is older than the one which took it away. To hypothecate such money for such a purpose without the consent of the Irish people is an act of plunder which is only to be accomplished by superior force. If by hypothecating the cash portion of the Guarantee Fund the Local Taxation of Ireland is increased, we should be committing an outrage upon the constitutional rights of the Irish people. In the next place, the security is illusory so far as the British taxpayers are concerned, because the Irish cesspayers would never consent to a levy being made, the proceeds of which are to be applied to purposes over which they have no control. I object in principle to hypothecation of Irish moneys under any circumstances whatever, but if the Irish moneys are to be hypothecated, then the Amendment of the right hon. Gentleman the Member for Newcastle (Mr. Morley) would mitigate the hardship of the proposal by directing that the transaction out of which liability might arise should be subject to elective popular control. The hon. Member for Cork (Mr. Parnell) in his speech last night entered into a general criticism of the Liberal programme, but as I regard such a topic to be outside the scope of the present discussion I shall not refer to it for this reason, among others, that the arguments of the hon. Member last night were most conclusively answered by his previous speeches. In my judgment the Irish question is unaltered, and the only change in the political situation that I can perceive is that the point of view of the hon. Member for Cork has altered. The hon. Member for Cork has asked why it is that one of the Representatives of the Irish Party has not moved this Amendment, instead of the right hon. Member for Newcastle. In reply to the question I may say that the hon. Member for Cork has often been glad of the co-operation of the right hon. Gentleman.

MR. PARNELL (Cork): The right hon. Gentleman has often been glad of my co-operation.

MR. T. M. HEALY (Longford, N.): Order, order!

MR. SEXTON: The hon. Member for Cork declares the right hon. Gentleman has often been glad of his co-operation. The right hon. Gentleman would, no doubt, be glad of the co-operation of the hon. Member in any sphere and to any degree in which circumstances would allow the Member for Cork to render useful service. The Irish Members are still glad of the co-operation of the right hon. Gentleman, than whom, in this House, Ireland had never found a more capable and a more zealous friend. If the hon. Member for Cork, who in dark, critical, and trying times was glad to avail himself of the services of the right hon. Gentleman, means to convey to the Committee that those services have not an equal value at the present moment, I must respectfully say that the hon. Member for Cork is not expressing the opinion of the majority of the Irish Members, and of the vast body of the people of Ireland. I cannot help remembering that it was upon almost this day 12 months ago that the hon. Member for Cork moved the rejection of a Bill, in some degree absolutely identical with that now before the Committee. [An hon. MEMBER: It was a better Bill.] Yes, in some respects a better Bill—on the ground that it did not sufficiently provide for local control. Last year local control was everything, and was regarded by the hon. Member for Cork as being an indispensable safeguard, and the one crucial point. Last year without local control in every transaction, to use his own graphic language, was nothing but a swindle. This year the Bill is everything. In the matter of local control the hon. Member has become a Laodicean, and he is content to accept that which last year he denounced as little better than a swindle. The hon. Member spoke last night as though the Amendment of the right hon. Member for Newcastle was about to be carried, and he altogether ignored the speech of the right hon. Gentleman the Chief Secretary, who opposed the Amendment. The hon. Member contended that the proposal of the right hon. Member for Newcastle would involve delay in carrying into effect any scheme for land purchase; but, in my opinion, it would not involve any delay at all. There is a balance of £1,000,000 under the Ashbourne Acts, and the Chief Secretary has promised to introduce words to make it available. That balance would keep the Commissioners going for another year. The Chief Secretary has also promised that the repayments under the Ashbourne Acts should be available; they now amount to a considerable sum, and the balance and repayments together would probably give £2,000,000 available for land purchase, and sufficient for two years to come, by which time the utmost delay alleged by the right hon. Gentleman would have expired. How, then, can the Amendment lead to delay if County Councils are established this year or next?

MR. A. J. BALFOUR: The Bill does not permit of the repayments under the Ashbourne Acts.

MR. SEXTON: Did not the right hon. Gentleman promise that these repayments should be so applied?

MR. A. J. BALFOUR: I forget exactly how the matter stands; but I came to the conclusion that the re-lending of the £10,000,000 advanced under the Ashbourne Acts would be a new loan incurred by the Guarantee Fund.

MR. T. M. HEALY: Does the right hon. Gentleman announce that change?

MR. A. J. BALFOUR: I think I announced it last year.

MR. SEXTON: Then I invite the attention of the hon. Member for Cork to the fact that the present Bill is much worse than the measure which he opposed last year. It can be proved by *Hansard* that last year the right hon. Gentleman was willing to allow repayments to be made available, and now he says they are not to be so applied. The right hon. Gentleman's acquiescence in the application of repayments to fresh advances is to be found a dozen times in *Hansard*, and afterwards, on a copy of the Bill of last year being handed to him, he read a sub-section of a clause authorising the re-lending of the repayments, provided the aggregate of these additional advances did not exceed for the time being the amount to be repaid on account of the advances authorised.

MR. A. J. BALFOUR: I told the hon. Gentleman I was not quite sure. I had for the moment forgotten that that provision was in the Bill; but it was pointed out in the course of the Debate that it involved an additional pledging of British credit.

MR. SEXTON: If the hon. Member for Cork wished to prevent delay he could not more usefully apply himself than by reinstating in this Bill that provision of the Bill of last year. That would be better than trying to emasculate the Amendment of the right hon. Member for Newcastle. The Tory Party promised in 1886 to give Local Government to Ireland. That promise has remained unfulfilled ever since. If the Amendment is adopted they will be compelled to carry it out either this year or next. For this reason I think it is deserving of the support of every man who desires the extension of Local Government to Ireland. If the Amendment is rejected the Tory Party will not be eager to give County Government this year or next. For the specific and binding words of the Amendment the hon. Member for Cork wishes to substitute words which are no more than the expression of a pious opinion; and if the hon. Member for Cork succeeds, the Tory Party will be under an irresistible temptation to postpone a measure of Local Government, even if they come into power after the General Election. This view is emphasised by the exposition which has been already given of the probable conduct of County Councils, who, in the belief of the Chief Secretary, would materially embarrass the policy of land purchase. The Tory Party would say they believed that, with the expansion of land purchase, national aspirations would die out. [Colonel SAUNDERSON: Hear, hear! *and a laugh.*] I regard that cheer of the hon. and gallant Member as showing what is the view of the Tory Party, although that view may be a palpable delusion. The Tory Party believe that the establishment of County Councils would kill land purchase, and that will be the argument of the Chief Secretary before English audiences. Is the hon. Member for Cork willing to put such an argument in the mouth of the right hon. Gentleman? It will not bind him to establish County Councils, but is merely a declaration that a certain thing is to be done after they are established. I do not know whether the hon. Member has realised what the effect of his Amendment would be. Whilst the Amendment of the right hon. Member for Newcastle would cause no interruption, that of the hon. Member for Cork would have an effect which he never intends, and even if the Tory Government came in again it would postpone indefinitely, and for as long a period as the Tory Party might remain in power, the concession of Local Government to Ireland. For these reasons I cannot support the Amendment of the hon. Member for Cork. Even if the Amendment be defeated it will serve a useful public purpose. It will have a salutary effect on the operation of the Land Act by foreshadowing what is to come, and it will have a useful effect in binding the Liberal Party to a specific policy of rapid development of this phase of Local Government in Ireland, and it will stand on record to guide and direct the House of Commons at no distant date. Though now it may be a barren declaration, hereafter it will be an important help and assistance. Now, the hon. Member for Cork fell into an error of fact when he said this question had been left to the right hon. Gentleman the Member for Newcastle, though I say if it had been left to him it would be left in very competent hands; but let me point out to the hon. Member for Cork that there stands on the Paper for discussion at a future day an Amendment in my name which proposes to deal with this very question in a manner I hope will not be objectionable either to the right hon. Gentleman the Member for Newcastle or the hon. Member for Cork. That Amendment, it will be seen, is in the following terms as an additional sub-section to the clause:—

> "(4.) No Guaranteed Land Stock shall be issued by way of advance for the purchase of any holding, unless the making of such advance shall have been previously approved—
>
> (a.) until elective county councils shall have been established in Ireland by a resolution of the board of guardians of the poor law union in which the holding is situate;
>
> (b.) after elective county councils have been established in Ireland by a resolution of the county council elected to represent the county in which the holding is situate."

The Amendment provides for local control, and provides against any delay in the operation of the Act. I admit that Boards of Guardians are not perfect bodies. I admit that they are very imperfect bodies for the purpose; but in this matter we have merely "Hobson's choice," and the Board of Guardians, I may say, is the only body in rural districts which has an elective element upon it. When the right hon. Gentleman the Chief Secretary complains of Boards of Guardians because five years ago they passed resolutions in reference to the qualifications of a Parliamentary candidate, or expressing approval of the conduct of a public man, criticising matters of public policy or condemning the action of the Executive, if they have gone somewhat beyond their functions in those and other matters let it be remembered that they are the only bodies outside the towns which have any element of popular representation, and when the Chief Secretary attacks Boards of Guardians he forgets that they are composed half of *ex officio* members, Justices of the Peace, and landlords. ["No, no!"] I think I may say that every Justice of the Peace in a rural district is a landlord or an agent to a landlord. ["No, no!"] There may be a few exceptions, but 99 from every 100 are of that class. Now, if Boards of Guardians do sometimes act in a manner objectionable to the taste of the right hon. Gentleman, is that not due to the neglect of these *ex officio* members to all matters in connection with their office, and that landlords are indifferent to all local matters except those in connection with rent? I submit that the right hon. Gentleman cannot object to Boards of Guardians in this connection, seeing that fully half of the members of those Boards are landlord representatives, and by the plural vote that class no doubt exercises influence over the election of the remainder. To the hon. Member for Cork I say if the Board of Guardians in any case were to allow a transaction under this Act we should be none the worse, and when they veto a transaction it will be because an unusually excessive price is charged for the holding. Therefore, if the hon. Member for Cork thinks, and I agree with him, that the absence of local control is one of the greatest blots on the Bill, he will no doubt give his support to an Amendment which secures some form of local control in the interim before the establishment of County Councils. County Councils cannot be established in a day, and meanwhile I invite the hon. Member for Cork to agree with me in preventing the delay in the operation of the Act by the use of the only means of local control which the state of Irish life renders available to us at the present moment. I shall oppose the Amendment of the hon. Member for Cork and support the Amendment of the right hon. Gentleman the Member for Newcastle in its original form, and I respectfully invite both the right hon. Gentleman and the hon. Member for Cork to consider this Amendment of mine in a friendly spirit.

(3.37.) Colonel SAUNDERSON (Armagh, N.): The Committee will, I think, not deny me the right to occupy a few minutes, seeing that up to the present only one other Irish landlord has taken part in these discussions, and because the Amendment of the right hon. Gentleman the Member for Newcastle strikes at the very existence of the Bill and opens a very large scope of criticism as to the effect it will have on the policy of Her Majesty's Government, which we hope may endure for many years to come and have an influence on the Empire at large. The hon. Member for West Belfast has made one statement of which I must take notice. The hon. Member called the Bill a landlords' Bill, a Bill having an Imperial object, and a Bill to satisfy the wishes of the Irish people. I quite agree with the latter part of the definition, but I utterly deny that this is a landlords' Bill. Stating my opinion as a landlord, I should say that I dislike the Bill. If I were asked to state the effect I believe it will have upon the landlord class in Ireland, I should agree with the hon. Member for Northampton (Mr. Labouchere), who, to my surprise, the other day took up the cudgels on behalf of that class he is in the habit of cudgelling. I believe this Bill will not have a good effect upon the interests of the class to which I belong. I believe the effect of the Bill will be that the incomes of landlords will be diminished by one-half, and sometimes by two-thirds. As a landlord merely, I should oppose the Bill; but I support it for Imperial reasons and for Irish reasons. The first duty of every Irishman is to assist legislation which will benefit his native land, and as I firmly believe that the Bill under discussion will benefit Ireland, I support it. The Imperial reason which will mainly induce the House to pass the Bill—because it will not be passed out of sheer love for Irish landlords or tenants—is that by its operation it will build up a class who will array themselves on the side of law and order. The hon. Member for West Belfast complains that the Bill will throw a burden on the Irish people; but I have never heard of a people who regarded themselves as burdened by having £30,000,000 placed on their shoulders. If a *plébiscite* were taken in Ireland, there would not be a single county which would not wish to have the Bill in operation within its borders. A strange attitude is taken up by hon. Gentlemen opposite. Last year an Amendment was moved by the hon. Member for the Rushcliffe Division of Nottingham (Mr. J. E. Ellis), an Amendment which most of the Irish Members on the other side supported, and which was to the effect that so long as coercion existed no Imperial advances should be made to Ireland; but now it seems that hon. Gentlemen are so persuaded that coercion is only a term, that they adopt the policy of Her Majesty's Government——

The CHAIRMAN: The hon. Member must address himself to the Amendment and not to the policy of the Bill.

Colonel SAUNDERSON: I take the Amendment to be this—the Amendment of the right hon. Gentleman the Member for Newcastle—that pending the establishment of County Government in Ireland, this Bill should not be effective. The hon. Member for Cork has informed us that he is in favour of the policy initiated by this Bill, and I conceive, therefore, that the more simple and straightforward course on the part of the hon. Member would have been, instead of putting his emasculating Amendment—as the hon. Member for West Belfast has termed it—to speak and vote directly against the Amendment of the right hon. Member for Newcastle. Now what is the meaning of this Amendment? It is a destructive Amendment, which, if carried, will destroy the Bill. Practically, it postpones land purchase in Ireland to the Greek Kalends, because to decide that the policy of the Bill shall not have effect until County Government is established in Ireland is to indefinitely postpone the Bill—to postpone it indefinitely, absolutely indefinitely. [Mr. W. E. Gladstone: Hear, hear!] I do not understand why the right hon. Member for Mid Lothian cheers that statement, because the Government do not intend the Bill to hang in any way upon Local Government. The Bill is to be judged, and accepted or condemned, upon its own merits. If the Government and the House were to accept the Amendment and carry the Bill with it, I should like to ask what would be the effect if at the next General Election the Unionist Party were defeated and the Separatist Party came into Office? We are told that dealing with the land is one of those subjects upon which all the Nationalists of the Irish Party are agreed, whether they belong to one faction or the other, and therefore if we pass a Home Rule Bill—as may be possible if the House of Commons ever goes mad—the result will be that we shall establish a Parliament in Dublin which, in dealing with the land question as it pleases, may upset the system of Local Government introduced by the Amendment and upset what is supposed to be a guarantee for the British taxpayer, and all previous legislation by this House in reference to land purchase will not be worth one rush. All our guarantees founded on County Government will not then be worth a straw. As to the interest taken by Irish ratepayers in the contingent guarantee afforded by the Irish rates, it is absolutely illusory. In the Irish mind there is not conceived the remotest possibility that that guarantee will ever be touched. The Irish people have proved by the way in which they have paid their instalments under the Ashbourne Acts in the past that there need be no anxiety as to their paying in future, and I believe hon. Members opposite are entirely mistaken if they think they will be able to raise any great opposition to the Bill in Ireland on the ground of this possible contingency. Hon. Gentlemen last year did not say so much about this guarantee; they opposed the Bill at first, but they supported it at last because they found the overwhelming voice of their constituents was in favour of it. If they go back to their constituents again they will find they are opposing a measure to which the Irish people look as conferring the greatest benefit to the country and to all classes—except the landlord class. Let me point out what will happen if we carry this Amendment. It will afford limitless scope to the capacity of Debate displayed by the hon. Member for Elgin (Mr. Keay); he will be able to point to the possible action of the Irish County Councils, and again influence the House by the glamour of his eloquence on financial affairs, showing how absolutely worthless is the guarantee in view of the proposal of the right hon. Gentleman the Member for Newcastle. The point of importance in considering this Amendment, and upon which hangs the very existence of the Bill, is, what is really the view of the Irish people on the subject. We are legislating for Ireland and the Irish people, and I am sure we all hope that our legislation will conduce to their happiness and prosperity. It is important, therefore, to ascertain what are the opinions of the Irish people on this matter. But who represents the Irish people in this House? Only last year hon. Members above the Gangway opposite turned to the hon. Member for Cork to learn the opinions of the Irish people. Now we are informed by his former colleagues that the hon. Member for Cork represents neither the opinions of the people of Ireland nor even those of his own constituents. Then to whom are we turn? Are we to turn to the hon. Member for West Belfast or to the hon. Member for North Longford? But, as far as I know, those hon. Members represent only themselves.

MR. SEXTON: Our constituents.

COLONEL SAUNDERSON: The hon. Member for West Belfast says that he represents his constituents, but he certainly will not do so long. Why, there is no place in Ireland at the present moment where either of those two hon. Members would be able to address a meeting in the open air without police protection. Then we come to the hon. Member for Londonderry, but he represents the Irish priests, not the Irish people. Well, on the whole, I think that I myself speak in the name of the largest part of the Irish people. I represent, at any rate, that part of the Irish people who are in favour of law and order, and I believe those are the majority. And I feel perfectly convinced that there is not a county in Ireland which, if asked its opinion of the Bill, would not give overwhelming decision in its favour.

MR. T. M. HEALY: Go to Sligo or Kilkenny.

COLONEL SAUNDERSON: Well, I should have thought the hon. and learned Member had had enough attendance at Irish elections. I think I know the feeling of the Irish people as well as hon. Members opposite, who though they represent Irish constituencies live in London. I know as a fact, and can assert without fear of contradiction from any one who knows anything of the desires and feelings of the Irish people, that no measure has ever been introduced into this House which has received in every part of Ireland, North, South, East, West, more approval than the present Land Purchase Bill.

MR. T. M. HEALY: But what about the Amendment?

COLONEL SAUNDERSON: I say as I said at the outset of my remarks that I support the Bill against the interest of the particular class to which I belong. A rough definition of statesmanship is the making use of past experience embodying it in useful legislation. Past experience, at any rate during the last 30 or 40 years, has shown us that in dealing with the Irish people and successfully governing them, two attributes are required—firmness and justice—and I believe the policy of the Government, which, I repeat, would be destroyed if the Amendment of the right hon. Member for Newcastle were carried, is teaching the Irish people at the present time that if we are just we can also be generous. This is proved by the reception which the Chief Secretary and other Members of the Government met with when they recently travelled through the country, notwithstanding that they had been described in it by Irish Members as persecutors and exterminators; while, on the other hand, the so-called Nationalists cannot hold an open meeting in Ireland without police protection. That fact leads me to believe that our present efforts will be attended with success in Ireland, and, believing that the Bill will conduce to the welfare of the country, I heartily support it. The hon. Member for West Belfast hit the right nail on the head. I believe he struck the right key-note when he said the effect of the passing of this Bill will be to permanently destroy Home Rule. I believe it will. I believe it will erect in Ireland a great class independent of Irish demagogues and agitators, that it will create in Ireland a class which realises at last who their true friends are, and recognises that the Union with this country has been to Ireland a great blessing, and not a curse. I oppose the Amendment of the right hon. Gentleman the Member for Newcastle, because I believe it would, if carried, continue in Ireland that political fermentation which is really the foundation and basis of the separatist policy, and I believe the Bill as it stands will be for the good of the Empire at large, that it will bring peace in its train, and that it will hold out the hopes of prosperity to my native country.

(4.2.) Mr. J. CHAMBERLAIN (Birmingham, W.): The Committee has now really under consideration three separate Amendments—the Amendment of my right hon. Friend the Member for Newcastle (Mr. J. Morley), the Amendment of the hon. Member for Cork (Mr. Parnell), and the alternative Amendment submitted by the hon. Member for West Belfast (Mr. Sexton.) The Committee is aware, from observations I have made on this subject upon previous occasions, that I agree very much with the object which my right hon. Friend the Member for Newcastle has in view, but it will be no disappointment to my right hon. Friend when I say that I cannot support the form in which his Amendment is put. It is a misfortune of that Amendment that it lends itself to the suspicion that it is a destructive and a dilatory Amendment, intended to prevent the speedy operation of the Bill. Knowing as I do the opinions which my right hon. Friend has formed on the Bill, as a whole, I confess I do not think I am doing him an injustice when I say I think if his Amendment had a dilatory and destructive effect be would not regret it. In that matter I differ from my right right hon. Friend. I believe the Bill to be a good Bill. I accept it most cordially, and, although I should like very much to make it better, still I would infinitely rather have it as it is than not have it at all. Consequently I cannot support the Amendment of my right hon. Friend, although I desire to secure some of the objects he has in view. Then there is the Amendment of the hon. Member for Cork. To that exception is taken by the hon. Member for West Belfast, because, he says, it would have the effect of postponing Local Government for Ireland. That seems to me a very extraordinary objection. It is only true, if it be the fact, that Local Government is hostile to land purchase, and it is my point in this matter that the introduction of Local Government into a Land Purchase Bill would strengthen land purchase, and consequently that the Government would have no object whatever in postponing Local Government if they carried the Land Purchase Bill first. But I have a different objection to the Amendment of the hon. Member for Cork, which I take also to the new Amendment which has been suggested by the hon. Member for West Belfast. What are the objects we may fairly have in view in suggesting the intervention of the Local Authority? There were three objects. In the first place we desire that the Local Authority, or the constituencies which the Local Authority represents, should have given their assent to the pledging of their credit. To mortgage their securities without their consent is, at all events, a very strong piece of legislation. As regards that object, it would undoubtedly be secured, not only by the Amendment of the hon. Member, but also by the Amendment suggested by the right hon. Gentleman the Chief Secretary for Ireland—that there should be a *plébiscite* taken of the district before the Bill is put in operation to obtain its consent to the pledging of its credit. But there are two other objects which we ought also to keep in view, and which the suggestion of the Chief Secretary does not secure, and therefore I take this opportunity of saying, as the suggestion was kindly made by the Chief Secretary, to some extent in the hope of satisfying the objections I made to the Bill in its present form, that it does not satisfy me, and that consequently, if I am unable to persuade the right hon. Gentleman to go a little further, as far as I am concerned, I do not think the introduction of the proposal by itself would be a sufficient improvement to justify a separate Amendment on the subject. The other objects, however, which I want to keep in view are these: In the first place, I say we want to give an interest in land purchase to every class in Ireland, not, as has been said, to a limited proportion of a limited class, and the advantage of all sections of the community would be secured by the intervention of the Local Authority under circumstances which would give to the Local Authority a large interest in the successful administration of the scheme. Further than that we must all feel there is a possibility, although we all hope a distant one, that at some future time, when schemes of land purchase have been largely developed, there may once more be an agitation which would be directed, not against the payment of rent, but against the payment of the instalments, and the best security against such an agitation would undoubtedly be the existence of a healthy public opinion in favour of the honest fulfilment of obligations. What we have to regret in Ireland at the present time is that there is so large an amount of public opinion which justifies the non-fulfilment of obligations. How can we create the public opinion we desire to see in Ireland better than by introducing the locality, through the Local Authority, into the administration of the Act? What I have always thought would be a possibility, and what I have always desired to impress upon the Chief Secretary is a plan of this kind, that the Local Authority should not merely have the right of vetoing or of consenting to the application of its credit, but that after the transaction had taken place, and after the land had been agreed to be bought and sold, the Local Authority should stand in the position of landlord for 49 years until the tenant became the absolute freeholder; that during that period the Local Authority should collect the rent, that it should pay over to the Central Authority the amount due for instalments and interest, and that the whole of the remainder, which would be a very considerable sum, should be for its own use—that is to say, for the advantage of the constituency whose affairs it represented and administered. If that were the case—and I will deal with the objections directly—if you could secure a state of things of that kind, consider how it would necessarily affect public opinion. In that case you would have a Local Authority which, in the course of a short time, would have all the instincts, and perhaps some of the prejudices, of a landlord, and you would have this Local Authority acting on behalf of the whole community with a distinct interest that rent should be fairly and fully paid, knowing that every deficiency in the payment of rent on the part of any tenant would be followed at once by a deficiency in the sum it had to apply to public purposes. What is the objection to it? The objection is one that does apply to the Amendment of the hon. Member for Cork and the hon. Member for West Belfast. The Chief Secretary says two things, as I understand him. He says, in the first place, that there would be a possibility, if you gave this power to the Local Authority, that, acting under the influence of some class of agitators, they would prevent altogether the adoption of the measure which Parliament is now passing. Well, as to that point I really think a moment's reflection will show that any such action on the part of the Local Authority is absolutely impossible. What have we just heard from the hon. and gallant Member opposite, and what have we heard from hon. Members on this side of the House? More than that, what do the actions of hon. Gentlemen on this side of the House prove but that every class in Ireland is prepared to accept the benefits of the Bill, and will look askance at any one who interposes to prevent it? I say what proof have you? Why, just look at the action during the past few days in Committee of such Members as the Member for Longford and of West Belfast in a less degree. The discussions of the past few days has shown perfectly clearly to hon. Members with any intelligence that these hon. Members and some of their friends hate this Bill, and would like to destroy it. ["No."] "No" says one. What did the hon. Member for West Belfast say in the course of his most interesting speech this afternoon? He said that the action of the Tory Party in this Bill was to rescue Irish landlords, and to pour millions into their pockets.

MR. SEXTON: So it is.

MR. J. CHAMBERLAIN: Well, if that were the object of the Bill, do you not suppose the hon. Member for West Belfast would oppose it? And am I not justified in saying that the Bill which he describes in these terms is a Bill which, if he could, he would destroy? But what is his position and the position of his friends? The position of hon. Members is this: that they are "willing to wound, but afraid to strike," and they dare not oppose the Bill because they know public opinion in Ireland is strongly in its favour.

MR. SEXTON: What I say is this, that though no doubt the main object of the Tory Party may be to rescue the landlords, the effectuation of that object by the Tory Party does not limit the effect of the Bill. There may be other effects which I value.

MR. J. CHAMBERLAIN: I submit gladly to his statement, but when he speaks again I trust he will balance these various effects and give the Committee his conclusion on the whole subject. One effect of the Bill says the hon. Member is to rescue Irish landlords. What I ask are the effects of the Bill on the other side, which the hon. Member sets against it, and the conclusion he arrives at on the whole subject? What I say in the meantime is that the action of the hon. Member and his friends during the last few days has been directed to delay the Bill—I will not say to obstruct it though I think I might say so; and if he does not go farther it is only because the vast majority of his constituents are of a different opinion. If that is the case I say there is absolutely no fear that under any circumstance it will be in the power of the Local Authorities to prevent the Bill coming into operation, and to interpose between their constituents and the benefits the Bill proposes to confer. But there is another objection taken by the Chief Secretary which I think is a more serious one. He said that it would be possible for the Local Authorities to act unfairly and unjustly under the influence of personal or political motives—and from past experience we have no reason to suppose that such a possibility might not arise. Well, that is perfectly true, and that would be the objection to the Amendments of the Members for Belfast and Cork, because, as I understand it, they propose that every separate transaction should come before the Local Authority to be discussed and to be approved by them. I quite admit that would leave room for intrigue and political prejudice, and that it might be open to the most serious objection. But that is not my proposal, and I do not think the suggestion I have made is open to a similar objection. I have suggested that after the Bill has come into operation, whether by the Resolution of the Local Authority or by *plébiscite* as proposed by the Chief Secretary, then the separate transaction should go, as proposed in the Bill, to the Land Commission — that is, the tenant and landlord, having agreed as to the terms, should go to the Land Commission, who would complete the transaction; and it is only after the Land Commission, who would be an impartial body not open to the objection which I have referred, has decided that the matter would come back to the County Council or other Local Authority, which would then be placed in the position of temporary landlord for 49 years, collect rents and so on. I say, then, that while I admit that there might be serious objection to allowing such Local Authorities as are seen in Ireland, or, indeed, any such Local Authority as it is possible we can hope to create for a considerable time to come, to deal with matters of such deep personal issues as the question of Land Purchase, I think it might be possible to leave to them the first origination of the Act—the decision as to whether or not it shall be applied to a particular district—and the administration of it after the Act of Purchase has been completed. I am not very sanguine that I shall be able to persuade the Chief Secretary to accept any such suggestion as that, because it would involve more than a single Amendment in the Bill. Probably it would involve one or two new clauses in the Bill to carry it out effectually. All I have to say in sitting down is that I have explained why I cannot support the Amendment of the Member for Newcastle, although I desire some of the objects he has in view. If they can be accomplished, I believe the Bill will be improved, that the security of the taxpayer will be increased, that the chances of peace in Ireland will be improved, and that a better feeling will be created between landlord and tenant, because if the tenants of the Local Authority paid regularly, it would have a very considerable effect in inducing the tenants who had not purchased to pay regularly also. While I believe in all these good effects, still I am grateful for the Bill as it stands; and if the Chief Secretary does not see his way to make the alterations suggested, I can only hope that experience may show that the right hon. Gentleman has judged the situation more correctly than I myself have.

(4.22.) Mr. J. MORLEY (Newcastle-upon-Tyne): I rise for the purpose of asking a question of the right hon. Gentleman the Chief Secretary as to a matter of fact raised by the right hon. Gentleman who has just sat down. I warned the Chief Secretary last night that his *plébiscite* proposal was one of the considerations that would still affect the minds of Members in voting for or against my Amendment. My right hon. Friend the Member for West Birmingham gave reasons why he could not support my Amendment, though he is aware of the object in moving it, and, on the whole, agrees with it. The right hon. Member for West Birmingham gave amongst other reasons that the Chief Secretary was about to bring before the House a plebiscitary proposal, but I submit to the right hon. Gentleman that the right hon. Member for West Birmingham has entirely misunderstood the proposal of the Chief Secretary. His interpretation of the *plébiscite* is quite different from that of the right hon. Member for West Birmingham. He imagines it to mean that the vote "aye" or "no" will be taken as to whether or not the Act is to be applied. That is not the case. The inception of the operation of the Act is not in the view of the Chief Secretary to depend on a vote. That is not the question submitted to the ratepayers by *plébiscite*. According to the proposal of the Bill the Act is to come into operation without any assent from the ratepayers. Then the advances are to be made up to the total amount of 25 times the cash portion of the Guarantee Fund, and then when that is exceeded, £8,000,000 in all, the county constituencies will be consulted as to whether they will sanction any further advance. I will ask the Chief Secretary whether my interpretation is right or that of the right hon. Member for West Birmingham.

Mr. T. W. RUSSELL (Tyrone, S.) rose, but there were loud calls for the Chief Secretary.

(4.26.) Mr. A. J. BALFOUR: I should have preferred to wait until I had heard observations from other parts of the Committee on the subject. The hon. Member for Cork expressed a hope that before the Debate closed I should make a statement as to my intentions as to the proposal for a *plébiscite*. As the Committee knows, the action of the Government will largely depend upon declarations from various parts of the House. So far I have not heard any distinct demand from below the Gangway.

Mr. SEXTON: We do not know anything about it.

Mr. A. J. BALFOUR: Nothing in support of it fell from hon. Gentlemen opposite.

Mr. PARNELL: I said I thought it was an element of local control, though deficient.

Mr. A. J. BALFOUR: I beg the hon. Members pardon. He did give a qualified support to the proposal. A qualified opinion has been advanced, but nothing more. The hon. and gallant Member (Colonel Saunderson), who spoke on the general question just now did not say anything to make me believe that he and his friends in the North of Ireland looked on the proposal with favour, and the right hon. Gentleman the Member for West Birmingham, if he rightly understood it, would not receive it formally. My proposal never went the length of giving immediate power to the localities to reject the Bill. I did no more than suggest that at a certain stage the locality should be given the opportunity of saying that no further hypothecation of its funds should be allowed. Therefore I am not specially encouraged to make any proposal on paper with regard to a matter which I only threw out as a method of compromising the differences that seem to be in the minds of hon. Gentlemen opposite. I say that to explain the attitude of the Government on the question. As I am on my legs I may say one word as to the proposal of the right hon. Member for West Birmingham. On that part of it which I dealt with last night I will not add a word to what I then said. Let me make this one remark which is to express my entire concurrence with the right hon. Gentleman in one matter. If we had funds at our disposal to enable us to give a large bonus to the localities to collect the rents and to interest them, in some substantial form, in the payment of the annuities, I should rejoice as much as the right hon. Member for West Birmingham. I entirely agree with his desires on this matter. The only reason why the Government have not adopted that plan is that we have been forced to the conclusion that we have not money to do it with. We could not give the Local Authorities 5s. per cent. without taking money from the tenants, and we thought that to do that would be to interfere with the proper working of the Act. It was not because we differ from the general principle laid down by the right hon. Gentleman, but because we could not propose a scheme which would give all the necessary benefits to the tenants, and at the same time confer these benefits on the Local Authorities, that we had to content ourselves with what I admit to be the less satisfactory proposals of the Bill before the House. But on the subject on which I am specially called on to give an opinion, I hope I have adequately explained what is the nature of the suggestion I have thrown out, and what are the views of Her Majesty's Government upon it.

(4.32.) Mr. T. W. RUSSELL: I wish to point out to the Committee that there are now being discussed no fewer than four distinct propositions, each of them involving the principle of local control under the operation of the Bill. There is first of all the Amendment of the right hon. Gentleman the Member for Newcastle, and, secondly, that of the Member for Cork; thirdly, we have the suggestion of the hon. Gentleman the Member for West Belfast; and, finally, there is that hazy proposal in reference to a *plébiscite* which has been informally advanced from Members sitting on benches in different quarters of the House. I will deal first of all with the Amendment of the right hon. Gentleman the Member for Newcastle. What does the right hon. Gentleman propose to do? The first thing he proposes is to arrest land purchase in Ireland. ["No, no."] I say that there can be no dispute on this point. The hon. Member for West Belfast has tried to prove that this is not so, and that the Amendment of the hon. Member for Cork is not necessary, the reason he advanced for this contention being that there was still a residue of something like £1,000,000 under the Ashbourne Acts, which would be sufficient to carry the Government on until County Councils could be established in Ireland. It is easy to say there is a residue of £1,000,000 under the Ashbourne Acts, but I want to know how much of it has already been applied for? Not less than £9,000,000 out of the £10,000,000 have been sanctioned up to the present time, as I understood from the Chief Secretary, but if that be so the balance of the whole £1,000,000 may have been applied for already so that there may not be a £1 sterling to carry on operations with during the interval between now and the establishment of County Councils. According to the right hon. Gentleman the Member for Newcastle, we are not to have Land Purchase until County Government comes into operation. He and other hon. Members on this side of the House blame the Government for delaying passing a County Councils Bill. Yes, but it should be remembered that more Governments than one are responsible for that delay; ever since I can remember the question of the reform of the Grand Jury Laws in Ireland has been a practical political question, and one Government after another has given that political and burning question the go by. I do not think, therefore, the right hon. Gentleman the Member for Newcastle is justified in simply charging the present Government with delaying County Government in Ireland. The charge is one that applies to every Government in England during the last 25 years. My contention is that the right hon. Gentleman the Member for Newcastle by his Amendment proposes to hang up the whole operation of the Land Purchase Department and prevent another sale taking place until it is sanctioned by the Local Bodies to be set up under the intended County Government Act. If I take the interpretation put upon the Motion by the hon. Member for West Belfast, the Amendment is one intended to enforce and compel Local Government, and to hang up Land Purchase until that is obtained. Supposing the County Government Bill were passed, the right hon. Gentleman the Member for Newcastle hinted last night, Irish Members on the other side of the House are opposed to granting Local Government in Ireland. For my part I am not hostile to that proposition, on the contrary I am anxious to see it. I shall support and vote for it when the time comes, but at the present moment, because I am disposed to give to Ireland the same measure in principle as has been conceded to England and Scotland, I am not fool enough to imagine that even after we get Local Government in Ireland, we are going to have the millenium. What is the proposal before the Committee? Before you set up County Boards, and know what kind of Boards they are to be, and the work that will devolve upon them, you are prepared to submit to those bodies a question involving an appeal to every passion and prejudice and selfish interest on the part of the whole body of the farmers of Ireland. We used to hear a great deal in bygone days of the right hon. Gentleman the Member for Mid Lothian having committed a great constitutional question to an entirely new electorate; but if you pass this proposal, you will be committing to an unknown body in Ireland, without any experience of what it has to do, one of the greatest risks which any Government could possibly allow. What would happen amounts to this: that a landlord and tenant may agree for the sale and purchase of the holding, they may be perfectly satisfied as to the terms of the transaction, and consider them fair and reasonable. The Land Commission may have investigated the whole of the circumstances and be satisfied as to the security being ample, and yet, after all this has been brought about, the right hon. Gentleman the Member for Newcastle proposes to bring each individual transaction before the County Council, which will be fiercely political and selfishly agrarian, case by case, farm by farm, leaving those men subjected, as I have said, to political passions and prejudices the right of vetoing every sale and of absolutely arresting the entire process of land purchase in Ireland. In other words, he proposes to give one party to the bargain, namely, the farmers of Ireland, who will themselves be the purchasers, the absolute right in their position as County Councillors of themselves fixing the price and the managing of the sale. I say that I cannot assent to anything of the kind, and I hope Her Majesty's Government will stand firm in resisting any such proposal. It may be, and probably will be, said that this objection would come more appropriately from the other side of the House. All I can say is that ever since this question of local control was mooted in Parliament—and the right hon. Gentleman the Member for West Birmingham consulted me about it a few months ago—I have taken pains to inform myself in Ireland as to what is the existing state of opinion on the subject in Ulster. I have spoken to the farmers on their own farms, and ascertained their views. Indeed, we have lately had a sort of Ulster land demonstration here in the Lobby of this House when a deputation of Ulster farmers came up upon this question. I say that those farmers are willing to pay a fair price for their land, and that they do not look upon this measure as a landlords' Bill. To call it a landlords' Bill is all very well for an English platform, before those who know no better, but the Irish tenant farmers do know better; they consider this Bill to be the greatest boon ever offered to the Irish tenants by the Imperial Parliament, and they are willing to accept the boon, paying a fair price for the land. I speak on this in the name of the Protestant tenants of Ulster, whose representatives I saw in the Lobby. My hon. Friend immediately below me saw them, hon. Members below the Gangway saw them, the Chief Secretary for Ireland saw them, and not one of those practical agriculturalists, not mere citizens of Belfast, but farmers working on their own land every day of their lives, are unanimously opposed to this County Council arrangement being allowed to come between them and their bargains as to the purchase of their holdings and retarding progress. I have authority for saying that the Gladstonian candidate for North Antrim at the last election is as anxious as any man living that this Bill should be passed, and is giving it as loyal and hearty support as any man in the North of Ireland. With regard to what has been said as to a *plébiscite*, so far as I understand it, the principle it is proposed to adopt is this: that before this Bill comes into operation, a vote something similar to what takes place under the Borough Funds Act is to be obtained as to whether the funds of the county shall be mortgaged for the purposes proposed, the county being in this way consulted as to whether its funds shall be so used or not. This is not open to the same objection as the Amendment of the right hon. Gentleman the Member for Newcastle. It does not bring every case into the County Council. There are hon. Members of this House who are also members of English County Councils. What, I ask, would they think of having the sale of every holding in England brought before them? I oppose this Amendment because my constituents oppose it. I have consulted them, and they have given me their directions on the subject. Let us take the case of a county where the majority of the voters are not farmers but labourers. These men are not ratepayers, or rather they do not pay the main portion of the rates as the farmers do. I put it to the Committee what would be likely to happen if this *plébiscite* were dependent upon such a body? What is likely to be the result if a question regarding the Contingent Fund were submitted to the labourers, whose interests are not only not the same as those of the farmers, but frefrequently are diametrically hostile to the farmers' interests? They might regard land purchase as not being in their interests, and might consequently put the management of the whole business into the hands of men who would act in direct opposition to the wishes of those who are desirous of this boon and who are responsible for the payment of the rates. I do not say that this would be so, but I say that it is a possible case. Now, apart from all this, what is to be said of the position taken up by the right hon. Gentleman the Member for Newcastle? If he were here, I should say much more willingly what I am going to say now, that he is too much accustomed to assume the *rôle* of Jeremiah. As regards the Irish question, he is eternally on the lament. He wishes the Irish Local Authority to come between the English Government and the Irish farmer, as a kind of buffer. He fears a period of distress, and he conveniently ignores the Insurance Fund which provides against it. He walks past it as if it were not in the Bill. Then he fears what will take place in the time of tumult. I prefer to go by the experience we have had rather than look forward to those evils. The right hon. Gentleman need not be so much afraid. The British taxpayer will know how to recover his money just as well as the Irish landlord, and I do not believe the British taxpayer is in the slightest danger. I believe the money will be honestly and cheerfully paid. The Irish farmers know perfectly well what a boon they are getting, and they are not going to throw it away in any reckless scheme of repudiation. I think the Imperial taxpayer, and especially the British taxpayer, is morally bound to pledge his credit for this purpose. He tore out by the roots the Irish land system, and he planted the English system of tenure with the disastrous results which followed; he planted the Irish landlords where they are, and, therefore, I think the British taxpayer, if he recognises his moral obligation, ought to come to the rescue. But in the case of a general settlement like this, and in face of the general desire to let byegones be byegones, and have this interminable land question disposed of, it is not too much that the Irish taxpayer should be willing also to do his small share of the work—a share which involves no risk to him. I hope the Chief Secretary will resist this proposal, which would hinder the practical working of the Bill.

*(4.50.) MR. MAHONY (Meath, N.) : I find myself for once in agreement with the hon. Member for South Tyrone, in his concluding observations, wherein he pointed out that the present position of the land question is due to the British taxpayer. If he has any influence with the Government I would ask him to use it in inducing the Chief Secretary to omit from the guarantees at any rate the most irritating of them—some of those called the contingent guarantees. The hon. Member says that the Irish taxpayer should take his share because this is a final settlement. I do not think it is.

*MR. T. W. RUSSELL : I said a general settlement.

*MR. MAHONY : Well, a general settlement. It is not a general settlement, because it is only going to settle a portion of the question. It was significant last night that the Chief Secretary should say that it was out of the range of practical politics for any Government to propose to advance British money without having Irish security for it. If that is the case we have the Chief Secretary and his supporters to thank for it, because of the speeches they made in their anxiety to oppose the right hon. Gentleman (Mr. Gladstone) in 1886. I ask—What are you going to do when this £30,000,000 is exhausted and you have no further Irish securities to fall back upon? That is a very strong argument in favour of dropping some of these securities, and relying, at any rate to some extent, on what ought to be the real security, the value of the land sold and purchased. Then if, as I hope, this land purchase scheme works well, and you have to come to Parliament again for a further advance, you will still have some Irish securities to fall back upon, and you will find the Irish people very ready to give these securities. As regards the Amendment of the right hon. Gentleman the Member for Newcastle, my hon. Friend the Member for West Belfast says it will bind the present Government to bring forward within a definite period a Local Government Bill for Ireland. I think it is exceedingly unlikely that the present Government will ever bring in a Bill which the hon. Member for West Belfast would care to accept, but if he supports this Amendment, he would be to a certain extent bound to support a Local Government scheme he did not like, in order that land purchase might go on. I believe that the Irish people desire land purchase, and I do not see my way to voting for any Amendment which would endanger the continuance of that system of land purchase in Ireland. We are told that the Amendment of my hon. Friend (Mr. Parnell) would practically do away with the whole value of the Amendment of the right hon. Gentleman the Member for Newcastle. I cannot agree with that; I do not think any Amendment you could pass in this House would bind the Government more than they are already bound in honour, by their declarations, to bring in a Local Government Bill. If they break through their obligations, their opponents will know very well how to take advantage of their breach of faith. If the Amendment of the hon. Member for West Belfast were passed, it would in spirit do all that the Amendment of my hon. Friend the Member for Cork proposes to do. It would prevent delay in putting this Act into operation, because there were no County Councils in existence, and that is all that the hon. Member for Cork wants to do. The right hon. Gentleman the Member for West Birmingham is anxious that the Local Authorities should have some power of giving or withholding their consent to the use of their securities; but he also wishes that they should derive some direct benefit from the operations of this Act in return for pledging their securities. That appears reasonable upon the face of it, but you cannot get out of this—that if you give to Local Bodies in Ireland a considerable portion of the annuities which are to be paid year by year by the tenants—you must either increase the amount to be paid by the tenants or diminish the amount to be received by the landlords—I would suggest to the Chief Secretary that it is possible to give the Local Bodies some sort of interest in the working of this Bill by continuing some small payment from the purchasers to the Local Bodies after the 49 years have expired. Several hon. Members have objected to giving Local Bodies control over every transaction, on the ground that Local Elective Bodies are not bodies particularly fitted to deal with the exceedingly delicate matters involved in bargains of the kind contemplated, and I admit there is very great force in the objection. In fact, those who ask that Local Bodies in Ireland should have power to consider each individual transaction, ask that these Local Bodies should have more power given to them in return for their security than the Imperial Parliament has ever required, it should have in return for the security it has given in the past. The Imperial Parliament has had another security and a very important one; it has had security in the fact that it has had under its control the body charged with the examination of the security for the advances under the Act—namely, the Land Commission. No one would propose to set up a number of bodies for the administration of the Act under the control of the Local Bodies. The control of the administration of the Act must remain under the Land Commission, but I want to suggest to the Chief Secretary a compromise, which I think he might very fairly accept. As I understand his proposal it is that by a *plébiscite* localities should have the power of saying whether the Act is to operate in their localities or not, but that they shall only have that power after the cash portion of the Guarantee Fund is exhausted. The concession I ask the right hon. Gentleman to make is to alter that so as to make it immediately applicable. The cash portion of the Guarantee Fund belongs to the localities just as much as the contingent portion. Whether there is any default in payment or not it is proposed to take away £40,000 of the Contingent Fund for a period of years, and the right hon. Gentleman proposes to do that at a time when local taxation is pressing very heavily on the people. In Kerry, my own county, I have to pay at the present moment in county cess alone about 5s. in the £1, and in poor rate close on 3s. in the £1. And yet, whether there is any repudiation or not, the right hon. Gentleman proposes to take away £40,000 a year. That is his idea of generosity towards the Irish people. I ask him to re-consider that scheme for locking up this £40,000. Another proposition I make is that the right hon. Gentleman should, in the first instance, allow the people of the locality to decide by *plébiscite* whether they would pledge the cash portion of the Guarantee Fund, and then if they decide to pledge that which guarantees about £8,000,000, then after the sum has been expended, they should be asked whether they would pledge the contingent securities. The advantage of that would be that when the £8,000,000 were exhausted the localities would be in a position to judge whether the Act had been fairly administered or not. If it had been fairly administered, they would have no difficulty in deciding by a fresh *plébiscite* to pledge their other securities. The hon. and gallant Member for North Armagh said land purchase is so popular that there is not a single county in Ireland where the people would not decide to pledge their securities. Hon. Members on the Opposition side of the House have asserted that they also are in favour of land purchase. Under such circumstances, I do not see why the right hon. Gentleman should hesitate to give the people the control I suggest.

*(5.10.) MR. PINKERTON (Galway): The hon. Member (Mr. Mahony) is much surprised to find himself in accord with the hon. Member for South Tyrone. I am not surprised at that, seeing that the hon. Members are supporters of the present Government. In fact, I myself am very strongly in sympathy with the major portion of the remarks which fell from the hon. Member for South Tyrone. The hon. Member alluded to the deputation from the North of Ireland which waited upon the Government upon this question. I met that deputation, and I can assure the Committee that while that deputation was intensely in favour of land purchase, it was very strongly opposed to all guarantees. Every member of the deputation, with one exception, was a practical farmer, and every practical farmer in Ireland knows that there is no necessity whatever for any guarantee. It is proposed to pledge both the tenants' interest and the landlords' interest for the repayment of the money, but everyone who has spoken to-day has advanced a fresh theory. The right hon. Member for West Birmingham has suggested that

some bonus should be given to the Local Authority for collecting the rents, but the hon. Member for South Tyrone has gone far beyond that, for he practically says the guarantee scheme is humbug, and there is no necessity for it. I am anxious that land purchase should be carried, but carried upon lines which will confer benefit to the tenant, and not seriously injure the landlord. I do not for a moment advocate a system of landlord robbery in Ireland. I believe it is possible to benefit the landlord and also to benefit the tenant at the same time; but, so far as delay is concerned, I hold that you may pass county government and Home Rule before purchase is carried out. I hold in my hand a statement with regard to an estate in the North of Ireland, where an agreement was signed by landlord and tenant four years ago, and the bargain is not yet completed. An Inspector was sent down from the land purchase authorities to inspect the holdings, and the objections put forward were of such a character as to indefinitely postpone the settlement on that particular estate. I am particularly interested in the matter, as I am a tenant upon the estate. It was cast in my teeth that I had signed an agreement to purchase years ago, and had opposed land purchase. If land purchase is to be carried out on the principle suggested, I am prepared to oppose it, because it is only a palpable attempt on the part of the authorities to fill the mouths of the tenants with an empty spoon. The hon. and gallant Member for North Armagh said that, as an Irish landlord, he is opposed to land purchase; but, as an Imperialist, he is prepared to risk British credit to promote land purchase. I hold that this measure is framed so as to benefit the landlords in the South of Ireland, where rents are not regularly paid.

THE CHAIRMAN: Order! So far the hon. Gentleman has not said anything about the Amendment.

*MR. PINKERTON: I admit I am out of order; but I am only following the hon. and gallant Gentleman.

THE CHAIRMAN: The hon. Member must remember that the hon. and gallant Member was rebuked.

*MR. PINKERTON: As a farmer I object to be taxed in order to guarantee

the repayment of the annual instalments of, it may be, an improvident neighbour. If I accept responsibility for a neighbour I ought to have a voice in the making of the bargain. It is a fact that men who have no intention to pay are the men who rush in and express a readiness to give 25 and 30 years' purchase. The men of Ulster are men who are prepared to pay 20s. in the £1, and they are most anxious that bargains are made on such a basis that no repudiation will be necessary. The purchase scheme of the right hon. Gentleman the Member for Bridgeton was opposed in the North of Ireland because of the baronial guarantee. Seventeen years was the average number of years' purchase last year. Tenant right in Ulster is selling for 20, 24, and sometimes 25 years' purchase. Can any man imagine that the Government would allow tenants to run 16 or 17 years in arrear even if they were foolish enough to wish to do so? In the tenant right alone the Government have ample guarantee, so anxious are the people for land purchase that in spite of all its shortcomings nine-tenths of them will support this scheme; but is the hon. and gallant Member for North Armagh prepared to put his sincerity to the test by offering his tenants an opportunity of purchasing? It is all very well to talk of general principles——

THE CHAIRMAN: Order, order!

*MR. PINKERTON: I am most anxious the measure should be passed, but I am strongly of opinion that it should be passed in no half-hearted fashion; I appeal to the Government to pass the measure in such a way that it will put an end, as far as possible, to the agrarian difficulty which has disturbed Ireland in the past.

(5.22.) COLONEL NOLAN (Galway, N.): The hon. Member for Galway has said a great deal with which I thoroughly agree, but I must say it was a case of very valuable matter in the wrong place. We have already discussed the question of guarantee. All Irish Members are agreed in preferring that the guarantee should come from the Consolidated Fund or from money voted by Parliament, rather than from local resources. We have a strong argument in the enormous taxation we pay. But that is not the question at issue. If the Front Opposition Bench accept the Amendment of the hon. Member for Cork the issue will be a very simple one; it will be that when County Councils are created, they shall have the right of vetoing any purchase. There is a great deal to be said on both sides of the question. There is a great deal to be said for the view of the right hon. Gentleman of West Birmingham. He did not like a general veto. The only objection to that is that perhaps there would be too much red tapeism. On the other hand, it would provide complete local supervision over all sales. Supposing the Amendment suggested by the hon. Member for Cork is not adopted by the Front Opposition Bench, in what position shall we be placed? We shall hang up the Bill for an indefinite time. Fifteen years ago I proposed the establishment of County Boards. County Boards are not yet created, and I am afraid we may have to meet many years before we see them in Ireland. Are we to hang up this purchase scheme until County Boards are set up? Why do my constituents and farmers and small tenants in the West of Ireland generally desire most to be proprietors of the land or to have County Councils to manage their affairs? I unhesitatingly say they prefer to be proprietors of their farms and to take the chance of County Boards.

(5.26.) Mr. MACNEILL (Donegal, S.): I rise to support the Amendment of the right hon. Gentleman the Member for Newcastle. I think that Amendment would give the Government an opportunity of redeeming their character; it would compel them to fulfil their promise to bring in a Local Government scheme for Ireland. They won the last General Election with a promise to set up a Local Government system in Ireland; but from that day to this they have made no effort to redeem their pledge. A very interesting observation was made by the Chief Secretary for Ireland last night. Replying to the right hon. Gentleman the Member for Newcastle the Chief Secretary said—

> "This machinery of land purchase is a costly one; it cannot be made cheap, and the whole expense of this machinery is borne, not by the localities in Ireland, not by the ratepayers whose cause hon. Members opposite plead, but by the British ratepayer for the purpose of settling a question which, moreover, directly affects only a small corner of the United Kingdom."

As an Irishman I would be the last person in the world to object to the mulcting of the British taxpayer, and for the reason that I know if a debtor and creditor account were prepared, Ireland would be enormously on the creditors side. The right hon. Gentleman knows that the last General Election was won upon the promise of Her Majesty's Government to redeem their pledge of bringing in a Local Government Bill for Ireland. They also undertook that they would not relieve the Irish landlords at the expense of the British taxpayer, and yet now they are bringing in a Land Bill unchecked and uncontrolled; and if this Amendment be not adopted, the British taxpayer will incur very heavy liability. I should like to direct the attention of the Chief Secretary for Ireland to some observations of the right hon. Gentleman the Member for West Birmingham—observations to which surely he ought to attach much importance. That right hon. Gentleman said, and said truly, that he had always supposed that the establishment of Elective County Authorities in England and Scotland would be associated with a similar measure for Ireland. I should like to know how the right hon. Gentleman the Member for West Birmingham can at all reconcile that announcement of his with the vote he is now going to give. I do not desire to trouble the House with any lengthened observations; but before I sit down I should like to remark upon the regret with which I, in common with many other Members, notice the absence from these Debates of the noble Lord the Member for Paddington. I have not the honour of the noble Lord's personal acquaintance, but still we all regret his absence, because we know that in the course of these conversations he would have played the part of a candid friend of the Government; and when he found Her Majesty's Ministers obstructing the proposal to join Local Government with land purchase, he would have said a good deal in condemnation of their conduct. I have often thought that *Hansard's Debates* form very interesting reading to those who are in the know, and I never was more pleased with the reading than when I commenced the perusal of some of the noble Lord's own observations in reference to his pledge made when he was leader of the House on the question of Local Government for Ireland. I say that you are simply obstructing Irish Local Government in the interests of Irish landlords. I say, also, that the plan of the Government in giving £30,000,000 for land purchase in Ireland is simply a cover for a proposal to divide that sum of money among their own supporters. They know very well that if the operation of the Bill were made dependent upon the adoption of Local Government for Ireland popular veto would prevent the distribution of the money in the channels they desire, and would make it utterly impossible to do as was done with the sum of £1,000,000 provided under the Ashbourne Acts and distributed amongst five supporters of the Government, one of whom was a brother of a Cabinet Minister. Now, I have before me a speech made by the noble Lord the Member for Paddington three years ago, on the 5th April, 1888, in which he said that he adhered in their integrity to the pledges he made at the time he was leader of the House of Commons, in favour of a large and liberal measure of Local Government being granted to Ireland. In one of the speeches he delivered about the same time, the noble Lord remarked that in 1886 the Chief Secretary for Ireland had opposed a measure of Local Government brought forward from the Irish Benches on the ground that Ireland was in a disturbed state and unfit for it. The noble Lord added—

> "But whether Ireland be disturbed or not, it is a fundamental principle of our policy that Local Government should be granted."

In conclusion, I can only say that the Government obstruction of this Amendment is really a sacrifice of principle in the interests of the landlords. The Government never intended that the money to be advanced under the Act should go to the tenants, but always have treated it as a *largesse* for the landlords and their friends.

(5.40.) MR. T. M. HEALY: No doubt the hon. Gentleman the Member for Cork has good ground for complaining of the action of the right hon. Gentleman the Member for West Birmingham. I should have imagined that the Amendment moved by the hon. Member for Cork to the Amendment of the right hon. Gentleman the Member for Newcastle was exactly in the view of the right hon. Gentleman the Member for West Birmingham, because it would have committed the Government to the expression of nothing but a pious opinion in favour of a general abstract principle of Local Government, and it would still have left at large the question of its final consummation. Yet, for some extraordinary reason which the right hon. Gentleman did not explain in his speech he has left the House in the dark as to whether the hon. Member for Cork will have his support in the Lobby. I rather take it that he will not, because if the hon. Member for Cork, with his corporal's guard of six Members, are found to be the only supporters of the Amendment, the right hon. Gentleman the Member for West Birmingham would cut a remarkable figure as sergeant of the guard. The hon. Member for South Tyrone has declared that there was no value in recalling the pledges given in favour of Local self-Government, because every Government for the last 25 years has been steeped up to the chin in Local Government pledges, and it really was no matter whatever at the present time whether they combined to fulfil those pledges. It is true that every Government for the past 25 years has promised Local Government to Ireland, but no Government except the present Government has passed Local Government schemes for England and Scotland, and has got into Office on a declaration of simultaneity and similarity for the three Kingdoms; and, therefore, we have as against the present Government objections and arguments which cannot be urged with equal force against any Government which has sat at any time upon the Ministerial Benches since the Act of Union was passed. I say, therefore, that as against the present Government we have a peculiar grievance, and that the argument of the hon. Member for South Tyrone will not hold water. I was also much surprised that the Chief Secretary for Ireland did not secure more gratitude from the right hon. Member for West Birmingham. Even the hon. Member for Cork was more complimentary to him. It may be that the right hon. Gentleman the Member for West Birmingham was more adroit than the hon. Member for Cork, but I think he might have been a little more effusive in his thanks to the right hon. Gentleman opposite. Nobody has greater admiration for the abilities of the Chief Secretary than I have. In the case of this present Bill, he has managed to load it with every principle objectionable to Irishmen so as to make it difficult for us to accept it, and, at the same time, to give the Tory Party every species of temptation to support him. My hon. Friend the Member for West Belfast dealt very properly with one branch of the Chief Secretary's devices when he said that by pledging local control in Ireland the right hon. Gentleman was setting up additional arguments against the establishment of County Boards. In my judgment, the Chief Secretary gratified both branches of Tory sentiment; Home Rule is staved off by the Imperial guarantee, and Local self-Government by the local guarantee. I have been waiting to hear some explanation of the new enthusiasm of the hon. Member for Cork and his Colleagues for this measure. It cannot be denied that this Bill is a less boon to Ireland than the Ashbourne Act. We know it has been the great boast of the hon. Member for Cork that it was he who in 1885 induced the Government to bring in that Act. That was immediately before the Home Rule Bill was brought in. Three years later the fund out of which the Act was worked required replenishing, and so in 1888, when another £5,000,000 was required for the purposes of that Act, I find that the hon. Members for Cork, Galway, and Meath, who now declare that it is undesirable to postpone this Bill in order even to have a pledge of Local Government, voted *en bloc* against the proposal to grant the additional sum. What are we to think of gentlemen of this sort? We have heard of the fox who has lost his tail, but we who are not in that predicament stand exactly as we stood in 1888. This new enthusiasm wants explanation. Even in 1890, on the 21st of April, the hon. Member for Cork moved the rejection of the Chief Secretary's Bill of last year; he opposed the Bill, not on a single ground, but firstly, secondly, thirdly, fourthly, fifthly, just like one of those "souping Protestant parsons" he is so fond of denouncing.

Mr. T. W. RUSSELL: I rise to order. I ask, Sir, what right has the hon. Member to call any Protestant minister a souping parson?

Mr. T. M. HEALY: The hon. Member for South Tyrone does not see my point. It is a quotation from the hon. Member for Cork himself, and I quoted it for the purpose of denouncing the insult.

*Mr. MAHONY: In the absence of the hon. Member for Cork, may I take the liberty of saying that the hon. Member for Longford has misquoted him?

The CHAIRMAN: Order, order! I think it would be convenient if the hon. Member for Longford would approach the Amendment.

Mr. T. M. HEALY: Imitation is not unnatural. I shall be able, if permitted to do so, to verify this interesting quotation which gives such offence both to the Liberal Unionists above the Gangway and to the Tory Unionists below it. Last night the hon. Member for Cork delivered a very strong speech in favour of this Bill, unfettered by any pledge of Local Government for Ireland, but he opposed the Bill of last year on the grounds of the absence of consent of the locality to the security, and of local control over the application of the money. His words on the 21st April were: "My next objection to the measure is that it exhausts our local credit without our consent." Surely that objection has just as much force to-day as it had in 1890. The hon. Member for Cork also said that the Bill, in the absence of local control, "was a parody on land purchase and a swindle on the British taxpayer." He objected first that the Bill was not an honest Bill; secondly, that it afforded no solution of the question; and, thirdly, that it would lead to further agitation. I declare that the explanation which the hon. Member has attempted to give of his change of attitude this year is "a parody on Parliamentary Debate and a swindle on the Irish public." He admitted in principle his anxiety to give some amount of local control; he put the infant idea before the House, but no one seemed to like the look of the child presented for sponsorship. The hon. and gallant Member for North Armagh said it was no child of his; the hon. Member for South Tyrone would not be godfather, the right hon. Gentleman the Member for West Birmingham refused his blessing, and the only person to whom he could look for sympathy and comfort was the hon. Member for Cork —"faithful among the faithless only he." But, for my part, I would thank the right hon. Gentleman the Chief Secretary to give us some fuller explanation of his scheme than we have yet had. He may have confined it to the hon. Member for North Armagh; he may have told it in secret to the hon. Member for South Tyrone, to the right hon. Gentleman the Member for West Birmingham, or the hon. Member for Cork. But we who are outside the charmed circle of Government confidence are at least entitled to be told what is to be this system of a *plébiscitum* he proposes to invent. We have had in former times some schemes containing remarkable proposals. We had the Drainage Bills, in which it was proposed to expend a million or two and to call for some local contribution. That local contribution would have amounted—I speak offhand and subject to correction—to a few hundred thousand pounds; but the Chief Secretary felt so strongly the necessity of some local opinion upon the expenditure that he invented a species of local representation. Are we not entitled to have to-night, before we proceed further in regard to this clause, some statement of whether he refuses such representation to the people of Ireland with regard to the advance of £30,000,000 and with regard to the hypothecation of all local resources, and, furthermore, the taking away from the localities the grants for education, medicine, pauper lunatics, and a number of other local purposes? Are we not entitled to be told why that which was granted in those drainage questions is to be refused in this far more important matter? It may be that the Chief Secretary does not altogether believe in the sincerity of the support of the Member for Cork—perhaps he has been reading some of the speeches of the hon. Member upon land nationalisation. I do not know whether he has perused these remarkable addresses; but if he has, that would be sufficient ground, perhaps, for the Chief Secretary taking up an attitude of doubt as to the amount of real and effective support that will be given to him by that hon. Gentleman and his supporters, for so recently as the 14th of March last he told the people of Dublin he had always believed in the principle of the nationalisation of land. That being so, it seems to me very remarkable that on an occasion of this kind, when the Government are only asked to insert a proposal to the effect that the Irish people should have over local affairs and local taxation some amount of control, that the gentleman who believes in the nationalisation of land, which involves the giving of local control over this entire land system apart altogether from the question of purchase, should refuse to vote in favour of local control disconnected with nationalisation, and connected only with peasant proprietorship. On these grounds we are entitled, having regard to the present action of the hon. Member for Cork, to vote down his Amendment. I do not believe in the sincerity of his Amendment, I do not believe in it from a gentleman who spoke six weeks ago in favour of land nationalisation. [An hon. MEMBER: Oh! Leinster Hall]—who spoke 12 months ago against this Bill, and three years ago voted against the advance of £3,000,000 under the Ashbourne Act. For my part I am inclined to doubt the sincerity of the Amendment, which, I believe, is put down for the purpose as it were of drawing a red herring across the trail without any effective intention, and accordingly I shall cordially give my support to the Amendment of the right hon. Gentleman the Member for Newcastle.

(6.7.) MR. PARNELL: I wish to make some reply to one or two remarks which fell from the hon. Member for West Belfast, and which were taken up and repeated, with the acrimony to which we have become accustomed from him, by the hon. Member for Longford. These hon. Gentlemen have called attention to the vote which I gave in 1887 against a grant of £5,000,000 and the vote I gave in 1890 against the Second Reading of a similar Bill to this, and to my action upon the present occasion and this year, in the preceding stages of this Bill, and they have asked me what has happened in the interval to make me change my action in reference to this Bill. I have to say to both these hon. Gentleman that they should first have asked their own leader, the hon. Member for Londonderry, why he has changed his action also before they address that question to me. And they should have first asked themselves why they have changed their action. Those two hon. Members and their present leader, the hon. Member for Londonderry, also voted in my company, and under my protection, against the grant in 1887, and against the Second Reading of the Bill in 1890. Did the hon. Member for Longford vote against the Bill in 1891? And if he did not have the courage of his convictions of 1887 and 1890—if they were convictions—what has happened in the interval to change the convictions and the mind of the hon. Member for Longford?——

MR. T. M. HEALY: Your misconduct.

MR. PARNELL: And the mind of his leader? And why is it to-day that, instead of having the courage of 1887 and 1890 to openly oppose this Bill, he joins in a combination of the Liberal and Radical Members below the Gangway and above the Gangway, to do that by stealth and by disguised methods which the hon. Member and his leader have not the courage to do openly, and which they know perfectly well their constituents would not allow them to do. I have done with those hon. Gentlemen and their consistency, and I await knowledge of the reasons for their change. Now, let me say to the House why I supported, and was not afraid to support, the Second Reading of this Bill. I did not sneak out of the House to avoid expressing any opinion—aye or no—on the vote for the Second Reading; I did not run away from the Second Reading like the hon. Member for Longford; I voted for the Second Reading because I believe that the Irish tenant farmers want this Bill to pass. They have viewed with disfavour, and will continue to view with disfavour, your attempts to obstruct it. I believe, further, that the method which has been devised by the Chief Secretary of counter-guarantees, although it is glaringly and grossly unfair to us, has satisfied the scruples of the English taxpayer. I do not believe there is any reality in the opposition of the Liberal Members below the Gangway, or that their constituents care two straws whether the Bill passes or not. So much for my reasons for voting for the Second Reading. Let me go on to say, regarding the present Amendment, that the hon. Member for West Belfast has misrepresented the substance and the effect of the Amendment of the right hon. Member for Newcastle. The hon. Member stated in defence of his conduct in voting for an Amendment which, if carried, will destroy this Bill, and which he knows well will destroy it, that the Amendment, if carried, would pledge the House and the Government to introduce Local Government for Ireland in this or in the next Session. The Amendment of the right hon. Gentleman does nothing of the kind. The Amendment of the right hon. Gentleman, so far from compelling or pledging the House or the Government to propose or carry a Local Government measure for Ireland this Session or next Session, would effect this—that if, owing to any circumstances, it is impossible to pass a complicated measure like a Local Government for Ireland Bill in this or in the next Session of Parliament, and if the House failed in this or in the next Session to carry such a measure of Local Government for Ireland, this Bill would be absolutely destroyed, and never could be brought into operation. So that under the guise of voting for an Amendment to secure local control, some of the Irish Members—and let it be known to their constituents—are voting, in an underhand way, it is true, but nevertheless in an equally effective way, for the destruction of the principle of this measure, and—unless an impossibility can be brought to pass, unless a Local Government Bill for Ireland be passed this or next Session—to prevent this Bill, enabling the reduction of rents of one in every three of the tenants of Ireland by from 30 to 40 per cent. being passed, keeping it inoperative for all time. I do not know whether the Committee will accept the Amendment I have proposed or not, I am tolerably certain they will not. The Amendment which I have proposed will probably have very small support, but it was designed to make the Amendment of the right hon. Member for Newcastle carry out what it pretends to carry out and does not, and what its supporters among the Irish Members have suggested and urged that it does carry out. If they choose to take the responsibility of voting it down, as announced by the hon. Member for Longford, they can do so. It has been said by the hon. Member for West Belfast that I am fighting a shadow in arguing against the Amendment of the right hon. Gentleman. If I am doing this, then is not the hon. Member for West Belfast supporting a shadow in supporting that Amendment? It appears to me that if one statement is true the other is true. If I am wrestling with a shadow he is supporting a shadow——

Mr. SEXTON: If the hon. Member will allow me to explain, it is, in my opinion, idle to argue against this Amendment as if it were about to be adopted; but, on the other hand, as I said earlier, it is useful to vote for the Amendment, though it may be defeated, because it will place on record a declaration binding the Liberal Party. It may thus be of future use to the people of Ireland.

Mr. PARNELL: In the history of Parliaments no more original excuse has ever been heard for voting for a pernicious Amendment. The hon. Member votes for it because he knows it will be defeated! I should have said that it would have been better not to support the right hon. Member for Newcastle in wasting the time of the Committee in arguing for an Amendment which the hon. Member knows is bound to be defeated, and which he would not vote for if he knew it was going to be carried. If the hon. Member votes for the Amendment, then he will vote for an Amendment which would be destructive of the Bill. He is taking a course not calculated to facilitate the progress of this Bill or to advance the wishes of the great majority of the tenant farmers in Ireland. Our time would have been much more profitably occupied if, instead of discussing this inoperative Amendment, we had gone on to the Amendment which stands in the name of the hon. Member for West Belfast—a similar Amendment to mine, and against which every argument the hon. Member has advanced against my Amendment can be used with more crushing force.

(6.20.) Mr. LABOUCHERE (Northampton): I do not know how far the hon. Member for Cork represents Ireland, but he takes very much upon himself when he speaks for the English constituencies. The hon. Member has told the Committee that our constituents do not care whether this Bill is passed or not. If the hon. Member had known anything of what took place at the General Election in England he would be aware that Home Rule was lost because a Land Purchase Bill was brought in by the right hon. Member for Mid Lothian. It is to that Bill that the Conservative Party owe their seats, and to the fact that they protested against it. We have always been opposed to land purchase, and we shall continue to be opposed to it to the end. But I did not rise to take notice of the observations of the hon. Member, but to say that we shall vote for the Amendment of the right hon. Gentleman the Member for Newcastle. The Bill is a bad Bill, but it will be made slightly better by the adoption of the Amendment. But I wish it to be clearly understood, and I think I am not speaking for myself alone, but for many Members on this side of the House, that in voting for the Amendment we in no kind of way pledge ourselves to any land purchase scheme for Ireland with an Imperial guarantee, whether approved or disapproved by the ratepayers of Ireland. I do not want to detain the House from a Division for a moment longer. I only want to make our position clear that neither directly or indirectly do we support an Imperial guarantee for land purchase.

Mr. T. M. HEALY: I asked a question with reference to the reason of the change of view in 1888, 1890, and the present year. The hon. Member for Cork has not answered that question. I would like to hear him on the point.

(6.22.) Mr. PARNELL: I merely wish to say in reference to my Amendment that it has been pointed out to me by the hon. Member for West Belfast that my Amendment may interfere with that of the hon. Member if it is negatived and not withdrawn. I think many Members will agree that both the Amendment of the right hon. Member for Newcastle and my own might be withdrawn, and then the Committee might proceed to divide on the Amendment of the hon. Member for West Belfast, which practically seeks to carry out and does carry out the principle which the right hon. Gentleman has argued for in his Amendment, but which goes a great deal further.

(6.23.) MR. SEXTON: I take the liberty to point out that my Amendment ought to satisfy both the hon. Member for Cork and the right hon. Member for Newcastle, because it provides for local control and no interruption in the proceedings of purchase. I certainly have a preference for my own Amendment, but it is a matter entirely for the discretion of the right hon. Gentleman.

MR. PARNELL: Under the circumstances I ask leave of the Committee, and withdraw my Amendment.

THE CHAIRMAN: I may point out that, on the Amendment of the right hon. Gentleman being put last night, the first words only were submitted to the Committee, involving the principle of local control, leaving out the specific way in which that control is to be exercised. If those first words are negatived, the proposed Amendment of the hon. Member for West Belfast, as well as the Amendment of the hon. Member for Cork, will also be negatived. Is it your pleasure the Amendment to the Amendment be withdrawn? [*Cries of* "No."]

Question, "That the proposed words be there inserted in the proposed Amendment," put, and negatived.

MR. SEXTON: In view of your ruling, Sir, I should like to ask the right hon. Gentleman the Member for Newcastle whether in view of the fact that my Amendment provides for a continuing control pending the passing of a Local Government Act, he proposes to take a Division on his Amendment, or will he consent to take a Division upon mine?

(6.25.) MR. J. MORLEY: In answering the question I may remind the Committee that last year I placed on the Paper an Amendment to the Land Bill making the assent of the Board of Guardians a condition of the operation of the Act. In substance, therefore, I am perfectly willing to assent to the hon. Member's view. While the hon Member was speaking I felt that there would be no difficulty on my part in allowing the hon. Member's Amendment, to which in substance I have no objection, and which coincides with my view last year, to be accepted. My object would, therefore, be served by accepting the Amendment of the hon. Member instead of my own, and I am willing to withdraw my Amendment in favour of that of the hon. Member.

THE CHAIRMAN: Is it your pleasure the Amendment be withdrawn. [*Cries of* "No."]

Question put,

"That the words 'Provided that no Guaranteed Land Stock shall be issued by way of advance in any county for the purchase of any holdings unless the making of such advance in that county shall have been previously proved' be there added."

(6.30.) The Committee divided:—Ayes 170; Noes 247.—(Div. List, No. 138.)

The next Amendment on the Paper was in the name of the hon. Member for Northampton (Mr. Labouchere) as follows:—

Clause 1, page 2, line 2, at end, add "In the construction of the Land Purchase Acts for the purposes of this scheme, 'landlord' shall include a mortgagee with power of sale.

The purchase in the name of the Land Commission of a sum of Guaranteed Land Stock, equal in nominal amount to a purchase annuity, shall be a good discharge of such annuity.

Immediately after the passing of this Act the Land Commission shall ascertain as to each county what estates are for sale in the Chancery Division, the tenants upon which are willing to purchase their holdings under this Act, and the Land Commission shall within the limits prescribed by this Act purchase the same for re-sale to the tenants, and the Guaranteed Land Stock provided by this section shall be applied to such purchases in the first instance.

Where, under the provisions of the Land Purchase Acts, the Land Commission purchase land from the Land Judges of the High Court of Justice in Ireland (Chancery Division), the purchase-money may be paid by the issue to the Accountant General of the said Court of a sum of Guaranteed Land Stock equal in nominal amount to the purchase-money."

THE CHAIRMAN: This Amendment really contains three Amendments, none of them appropriate to this clause. The first is relative to the Interpretation Clause, the second to the 2nd clause, and the third ought to be brought up in the form of a New Clause altogether.

Amendment proposed,

In page 2, at end of Clause, to add the words, "Half-yearly returns, ending on the thirtieth day of April and thirty-first day of October respectively, shall be presented to Parliament by the Land Commission, giving the following particulars respecting cases of default in the payment of any purchase annuity:—Name of purchaser; province, county, and townland in which the holding is situate; date of purchase; area (in statute acres) of holding; tenement value of holding; rental of holding when purchased, and whether judicial or non-judicial; amount of purchase-money; amount of instalments paid; amount of instalments in default; proceedings taken for recovery."—(*Mr. J. E. Ellis.*)

Question proposed, "That those words be there added."

MR. A. J. BALFOUR: I have no objection to urge to this Amendment.

(6.45.) MR. KNOX (Cavan, W.): The Amendment is defective, so far as I can see, in many particulars. It does not give that which would be the most valuable information—that is to say, the name of the landlord whose land has been sold under the Act. I, therefore, move as an Amendment to insert, after "Name of purchaser," in line 5 of the Amendment, the words "Name of vendor." I think it can hardly be denied that this information would be most desirable, for we know it may be difficult in cases of default to find out the particular landlord who has sold his land, for he may withhold his name through modesty or some other cause. I am sure that no vendor who effects a sale to his tenants fairly will object to allowing his name to be known.

(6.46.) Amendment proposed to the proposed Amendment, to insert after the words "Name of purchaser," the words "Name of vendor."—(*Mr. Knox.*)

Question proposed "That those words be there inserted."

MR. FLYNN (Cork, N.): I hope the Government will raise no objection to this Amendment.

Question, "That those words be there inserted," put, and agreed to.

(6.47.) MR. M. HEALY (Cork): I would suggest that particulars should be given showing how far the guarantee deposit has been called upon to supply the default in the payment of the annuity; whether or not any attempt has been made to sell the holding, and whether or not such attempt has been successful——

It being ten minutes before Seven of the clock, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again upon Monday next.

FISHERY BOARD (SCOTLAND) BILL [LORDS].—(No. 259.)

SECOND READING.

Order for Second Reading read.

(6.49.) MR. MARJORIBANKS (Berwickshire): May I ask what course the Government propose to take with regard to this Bill?

(6.49.) THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I will tell the right hon. Gentleman the course we propose to take with reference to this Bill and the Fisheries Regulation (Scotland) Bill. We have considered this matter with the single desire of carrying out those matters which are generally agreed upon. I do not think it would serve any good purpose to refer the Bill to a Select Committee. The result, I am afraid, would be to lose time, and the matters upon which there is agreement are sufficiently numerous, I think, to enable us to satisfy general opinion in favour of reform of the Fishery Board, and in regard to the alteration of the law as to mussel beds.

(6.50.) MR. MARJORIBANKS: In regard to this Bill, we cannot accept the Second Reading without discussion, and I would ask the Government to give us a day for the purpose of discussion. I shall always object to having the Bill passed *sub silentio*.

Second Reading deferred till Thursday next.

TRUSTS AMENDMENT (SCOTLAND) BILL.—(No. 209.)

Bill read a second time, and committed for Monday next.

DRAINAGE AND IMPROVEMENT OF LAND (IRELAND) BILL.—(No. 66)

COMMITTEE.

Considered in Committee.

(6.54.) MR. KELLY (Camberwell, N.): I beg to move that Progress be reported.

MR. T. M. HEALY (Longford, N.): On that Motion I would point out the position in which we stand. In consequence of the opposition of the hon. Member for North Camberwell and some other hon. Members, the Irish Members find it absolutely impossible to pass any Bills through the House, even those which the Government do not oppose. I warn the hon. Member opposite that the Irish Members will in future allow no non-contentious measures promoted by private Conservative Members to pass.

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I would point out that in this matter the Irish Members themselves have set a very bad example by the frequent objections which they have made.

MR. CONYBEARE (Cornwall, Camborne): Both sides of the House ought to act on the principle of give and take.

DR. TANNER (Cork Co., Mid): No measure brought forward by an Irish Member has been allowed to pass either this or last year.

Committee report Progress; to sit again this day.

EAST INDIA (FACTORY ACT).

Address for "Copy of Act No. XI. of 1891, of the Governor General in Council, being an Act to amend 'The Indian Factories Act, 1881.'"—(*Sir John Gorst.*)

SELECTION (STANDING COMMITTEES).

Sir JOHN MOWBRAY reported from the Committee of Selection; That they had added to the Standing Committee on Law and Courts of Justice, and Legal Procedure, the following Fifteen Members in respect of the Public Health (London) Law Amendment Bill and Public (London) Law Consolidation Bill), viz.: Mr. Boulnois, Mr. Causton, Earl Compton, Sir Walter Foster, Sir Guyer Hunter, Mr. Kelly, Mr. Lafone, Mr. Loder, Mr. Montagu, Mr. Morrison, Mr. Pickersgill, Mr. Ritchie, Mr. James Rowlands, Mr. Stuart, and Mr. Webster.

Sir JOHN MOWBRAY further reported, That they had added Sir Charles Hall to the Standing Committee on Law, and Courts of Justice, and Legal Procedure, in substitution of Mr. George Cavendish Bentinck, deceased.

Report to lie upon the Table.

NAVAL DEFENCE ACCOUNT.

Copy ordered—

"Of Return showing for the years 1889-90 and 1890-91, the sums paid into the Naval Defence Account, with the dates of payment; also the sums issued out of the Naval Defence Account for the purposes of 'The Naval Defence Act, 1889,' with the dates of issue, and the balance remaining on the Account on the 31st March, 1891."—(*Mr. Jackson.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 187.]

IMPERIAL DEFENCE.

Copy ordered—

"Of Return showing, to the 31st day of March, 1891, the Issues from the Exchequer to the War Office and Admiralty under the following Acts:—Imperial Defence Act, 1888; Naval Defence Act, 1889 [in addition to amounts provided in ordinary course out of Revenue]; Barracks Act, 1890; together with the manner in which provision has been made for such Issues."—(*Mr. Jackson.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 188.]

EVENING SITTING.

ORDERS OF THE DAY.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

ADMINISTRATION OF THE POST OFFICE.

*(9.3.) EARL COMPTON (York, W. R., Barnsley): I do not think I need offer any apology for having brought my Motion before the House asking for a Select Committee to inquire into the administration of the Post Office Department. I have made my Motion as broad as possible in its terms, for I am anxious that the proposed Committee of Inquiry should embrace all the subjects connected with the Post Office, not only the internal working of Post Office machinery itself, but also the relations of the Post Office to the general public, and also in regard to all postal reforms which are necessary. I am anxious that postal reform should be inquired into, and also the whole of the machinery of the Post Office, as—having given this matter some consideration in the past 15 months—I am of opinion that this machinery requires over-hauling and setting in order. It was impossible for me to state in a Notice of Motion every one of the details which require attention; it was impossible for me to define, for when I began to define I found that a definition would limit the scope of the inquiry I believe to be absolutely necessary. As regards the extension of benefits to the general public as a question of postal reform, this may, perhaps, be considered a Treasury question; and as I see the Financial Secretary to the Treasury in his place, and not the Postmaster General, I shall direct the first part of my remarks to that point which I think affects the Treasury principally. I hope the Financial Secretary to the Treasury will allow me to say I am one of those who think that perhaps the Treasury may have too great control over the Post Office. I believe that the Post Office, and the chief intention of the Post Office, is to serve the public. But the chief interest of the Treasury is to provide a good Budget, to look after the Revenue much more than the efficiency or good order of the Post Office. Other Members, I am aware, intend to speak on the subject of postal reforms. I had intended to bring forward in my Motion the question of "Boy Messengers" and the relations between the "Boy Messengers Company" and the Post Office; but I am glad to say—very glad to say—that that matter has been already settled. I cannot, however, help expressing the suspicion in my mind that perhaps the fact of my Motion having been on the Notice Paper for a month may have facilitated the arrangements that have been arrived at by the Postmaster General with the "Boy Messengers Company." I do not think anyone can doubt the fact that the Revenue has reaped advantage from each successive reform which has taken place in our Postal Service. Still there remains much to be done. This, I think, will be acknowledged, for instance, that the postal communication with the West Coast of Scotland and to the North of Ireland, decidedly requires improvement, and I am in hope that Members who come from that part of Ireland, and who are at the moment distinctly friendly to the present Government, will support a Motion for more direct communication by the Larne and Stranraer line, which has been a burning question for some time, and is not yet, I believe, settled. Then, also, there is the question of postal reforms as they affect the Savings Bank Department, already alluded to during the Session, and which requires, at all events, inquiry to see what can be done. Many of us believe that the Post Office Savings Bank might be extended with great advantage to the public, more especially to the working classes who use the bank for their savings. I believe the Chancellor of the Exchequer does not share that view, and is rather friendly to private banks as against the Post Office Bank. Still, I think this is a matter that might fairly come within the scope of the inquiry I am now asking for. I do not think it is at all necessary to refer to the large extension of the postcard system, and the further facilities asked for, or to mention the question of postal facilities for communication with the colonies, which interests a large number of those who reside not only in England, but in every part of the British Empire. But I think it is necessary I should state at once that it is the general opinion — it may be a wrong opinion, but it is generally entertained that there is some hindrance in the way of extending postal facilities—I do not know whether at the Treasury or at the Post Office. If a lever is wanted to effect a movement in the direction

required, then this inquiry I recommend will supply that lever. If it is an idea of economy which prevents many extensions the public desire, I believe it is a false idea of economy, because experience has shown that every extra facility has led to an increase of Post Office revenue. But even if it did not increase the Revenue I certainly lay it down as a principle that the huge surplus we get under the Post Office accounts might be used to give additional facilities to all who reside within the British dominions. The increase of revenue has been most remarkable. During the last 15 years I believe the increase of net revenue has been something like £1,500,000 in the Post Office Department alone, excluding the telegraph and other branches. I believe the increase of telegraphic net receipts has been something like £600,000 per annum in the same period. In all these matters I feel that I, perhaps, shall have the sympathy of the Postmaster General for it seems to me he is more or less "under the thumb" of the Treasury. The Treasury seems to keep a tight hold of the Post Office Department, and in some respects it seems to me the Treasury has prevented the Postmaster General from carrying out what he at all events would like to have done. I am aware the Treasury has laid down what seem to be rather stringent rules as regards applications from the various branches of the Department; as, for example, when the claims of one class of postmen were considered the Lords of the Treasury officially declared that further claims of other classes of postmen could not be entertained. A rather sweeping declaration without limit of time or circumstances. However, there are other hon. Members who will address themselves to this part of the question, and I will at once proceed to suggest those points in the organisation and administration into which I think inquiry is necessary. The Post Office Department has practically, like a growing boy, out-grown its clothes. I admit that many new suits have been ordered, but they have been so long in the making that the clothes never fit. I have no intention of making a personal attack upon the Postmaster General. He has been very much attacked in the public Press throughout the country, and has been nicknamed the San Sebastian of the Tory Government. I have no intention of making a personal attack, but I think it is only right that when I bring forward this Motion that I should state truthfully what has really occurred when the Postmaster General has granted privileges and advantages to those employed in the postal service. Where such have been granted they have not been granted, unfortunately, with that ungrudging graciousness of manner that might have been expected, and therefore he has not received such thanks from the recipients as otherwise he would have received. I also wish at once to say that I do not intend to make any attack on the officials of the Post Office. They are not here to answer for themselves, and it would be wrong for me to do so. I look on the Postmaster General as the Member of the Government responsible for all that goes on in the Post Office, and therefore I shall be careful to avoid as far as possible allusions to the officials of the Department. I may say at the same time that I have not had brought to my notice any complaint as regards particular officials the complaints principally are against the system not against individuals. We have had this Session what has been termed a "labour" Session. We have had the question of the employment of railway servants discussed on the appointment of a Royal Commission; we have had Government contracts discussed, and we have had a Royal Commission appointed to inquire into the relations of capital and labour, from which, I am sorry to say, the Post Office has been excluded by Her Majesty's Government. Let me add, that I should far prefer to have a Royal Commission for the inquiry contemplated in my Motion, rather than a Select Committee, but as a Commission was refused when I asked whether this question was to be submitted, I felt that it would be absurd for me to move for a Commission, and so I move that the inquiry shall be by Select Committee. We are about to have inquiry into the *status* and condition of the servants of many private employers and public bodies, and I do not, therefore, think I can be very far wrong in asking for inquiry into the *status* and condition of servants of the State. Is such an inquiry required? will be asked by many who have not investigated the conditions of service in the Post Office. I have no doubt the principal argument against my Motion will be that no such inquiry is necessary, but the matter had better be left to the management of the Postmaster General and his Department, and that inquiry will be out of place. But we have, and this the Postmaster General will admit, a large amount of discontent, not limited to a few persons, but permeating the whole service. [Mr. RAIKES expressed dissent]. I am sorry to find the right hon. Gentleman is not well informed on this point—that does permeate to my knowledge the whole service, every branch and every section, not only in London, but throughout the whole of the United Kingdom. I wish the right hon. Gentleman had received half the evidence I have received since I put my notice on the Paper. If he had, it would have opened his eyes to the fact that this discontent undoubtedly exists, not the personal discontent of individuals, but a discontent throughout certain branches of the service as to what are regarded as most serious grievances. But surely the Postmaster General will admit that he has received a very large number of Petitions? Not that he has received all the Petitions that have been sent to him, for in some cases they have been refused and not put before him, but he must be aware that a large number of Petitions have been drawn up asking for certain remedies. I am aware that a Departmental Committee is sitting at this moment inquiring into one point, and there may be others, but these are absolutely useless for the purposes for which I ask inquiry. A Departmental Committee may be all very well to gain information, but the right hon. Gentleman must be well aware that under present conditions he will never get before a Departmental Committee such information as he would from an independent inquiry. He must be aware that at the present moment a large number of men, not junior men but senior men, would not come forward and give evidence not liking to render themselves liable to be marked as discontented and perhaps, as has occurred in some cases, marked for future punishment in case of trivial offences. There is friction, there is irritation within the Post Office Department, and the general public know this as well as possible, even if the Postmaster General does not. A good deal of growling is going on, and it seems to me the statesmanlike way of dealing with this is to inquire what is the cause, and obtain information by the appointment of an independent Committee. Now, I go at once to the internal working of the Post Office. Who is it or what is it that works the Post Office? There is a Department within the Department—the Secretary's Department, and there is a very able man at the head of it. I have not the slightest doubt that every man in that Department is doing everything to carry out the wishes of the Postmaster General and working for the public interest; but I have been informed—and I believe this is the kernel of the question—that everything that is connected with the various branches of the Post Office has, first of all, to go through the Secretary's Department before it reaches the Postmaster General. If any branch Department wishes to approach the Postmaster General, its communication must filter through the Secretary's Department, and I am sorry to say that one complaint is that a good many of the communications proceeding from the heads of other Departments stick half-way and do not reach the eyes of the Postmaster General. I am not blaming individuals; but I do say that that the Postmaster General ought to be in communication with the heads of the various Departments, and it ought to be out of the power of a few officials in one Department to stop that communication. I take, for example, the forwarding of Petitions. I will not go into all the examples, I take one. The Association of the London Sorting Department, representing some 2,500 men, held a meeting and drew up resolutions, which they begged the chief officer to forward to the Postmaster General. This was refused because it is non-official to forward resolutions to the Postmaster General, whereupon they drew up a memorial, and in that memorial asked for an inquiry into the Medical Department—a very harmless request, I should think; but that memorial was refused to be forwarded, because, as was stated, it must first of all be proved that an inquiry into the Medical Department was necessary before such an inquiry was asked for. Now it seems to me that in such a case it is desirable that such a Petition should reach the responsible head of the Department. I daresay the gentleman who stopped it acted in pursuance of regulations, but upon this point of difficulty of access between the Postmaster General and the various branches I think inquiry is desirable. And now I come to a Department about which the public have heard a good deal lately, the Savings' Bank Department, and here at once we enter on a question that requires investigation, and a good deal more at the hands of the House of Commons. I mean the question of overtime. I asked the Postmaster General a question on the subject some time ago, and gave certain details which he acknowledged to be correct. It is a fact that the 531 members of the staff in 1890 worked overtime to the extent of 268,000 hours, which is equivalent to the work of a staff of 129 men all the year round. Now the Savings Bank Department has an excessive amount of work to do for, say, three months in the year, when overtime is said to be a matter of necessity; but take the other nine months and we find the staff worked 90,000 hours overtime, equivalent to the ordinary work of a staff of 65 men. I am told these figures are substantially correct. In 1890 the overtime amounted in some cases to four hours a day. I am told that the day's work in some circumstances was from 13 to 16 hours, that the sorting staff averaged 12 hours a day, that one boy worked 16 hours in one day, and another an average of 12¾ hours a day during a whole month. When I brought these facts to the attention of the Postmaster General, he said he thought the work was excessive, and he would, therefore, make additional appointments to the junior staff; but it is not a question of these things having gone on for a year, they have been going on for years. What was the recommendation in the Report of the Ridley Commission? That steps should be taken to reduce the hours of employment for the clerical staff to seven, not 13 or 14 hours, but seven; and the Commissioners go on to say that apart from the question of health of the clerks employed for 11 hours a day, they were less capable of giving good work than if they were employed for more reasonable hours. Sir Arthur Blackwood, in his evidence before the Commission, said that the overtime in the Savings Bank was imperative for six weeks in the year—I say for three months—and that temporary clerks could not do the work. The Postmaster General, he said, discouraged overtime. When the Postmaster General was questioned on February 5th, he replied that overtime was not limited by regulations, but the requirements of the Public Service must be provided for. But the requirements of the public service can be provided for by an additional permanent staff, and so this necessity for overtime work can be got rid of. Owing to this practice of overtime, disturbances have occurred in the Savings Bank Department from time to time, and such occurred last year and in the beginning of this year. Why? Because an order was issued by the Postmaster General that the clerks should work two hours overtime daily until further notice, and that any disobedience to this order would be treated as an act of insubordination. During two Sessions I have asked the Postmaster General, time after time, whether the overtime work in the Post Office was voluntary or compulsory, and the right hon. Gentleman assured me over and over again that it was voluntary. I am glad to give him another opportunity of explaining the meaning of the simple English word voluntary, in the face of such an order as this. I can imagine it might be more economical for a pressure to employ temporary or overtime work; but when I find that for the number of hours overtime, the cost is, for overtime work, 1s. 1d. per hour, and that the ordinary pay is 8d. per hour it becomes an expensive matter over some 8,000 hours. The clerks in the Savings Bank Department number 520, but I find in the Estimates they are set down as 552. Where does the extra salary go to? Does it go to the temporary clerks, or where? Then I come to the Telegraph boy messengers. They are about 15 or 16 years of age, and the day-staff work 10 hours a day—seven hours was the time laid down by the Ridley Commission—but nine-tenths of them work 10 hours a day. The night staff of boys work on alternate nights from 8 to 8, and from 6 to 10 or 11 o'clock, and they have to stand from 10 to 4, why, I do not know? There is a case of a boy of 14 being compelled, for a trifling offence, to work two hour's overtime after having worked 10 hours, and he had to walk five miles to his home afterwards. These boys—I daresay it was very imprudent on their part—petitioned for extra pay; but though this was nine months ago they have had no answer yet. I do not know whether the Petition reached the Postmaster General. I doubt it very much. Then I turn to another branch of the Service, the mail cart drivers. I do not know whether the Postmaster General is aware that the mail cart service is contracted for by Messrs. Macnamara & Co. (Limited). The drivers work from 4 o'clock a.m. to 8 o'clock p.m., and their wages begin at 24s. a week. Now, we have laid down this Session what our contracts ought to be. Of course this is an old contract—I understand that—still we know it is possible to put on pressure by threats that the contract will not be renewed—and I believe this contract ends this year—unless the contractors pay their servants decent wages and do not overwork them. Then I come to the postmen. We are told that there is no systematic overtime except in the Savings Bank Department, but the postmen have a grievance in connection with what is called "split" duty, which extends over 14 hours or 16 hours. Though this service is divided over intervals during the time, yet they are away from home for the period I mention, for it is too expensive for them to return home during the intervals of duty. It would cost each man on an average 2s. 6d. a week to travel backwards and forwards twice a day. I believe the Postmaster General, in 1888, admitted that this "split" attendance should not extend over 12 hours daily, but three-fourths of the postmen still continue to perform duties during 14 or 16 hours a day. Then, again, the auxiliary postmen work from 5 to 9.30 or 10 o'clock, and are paid at the rate of 4d. an hour, overtime work being paid sometimes at 3d. an hour. Then the telegraph staff, numbering 3,461 in London, have been doing excessive work since 1887, doing three and five hours a day overtime. I mention these details to show that overtime is a system, and is not confined to the Savings Bank Department. The Comptroller, in an answer given last January with regard to holidays, confessed there was an excessive amount of overtime. Let me say at once that these men who are working in the Post Office are ready and willing to volunteer to do a certain amount of overtime; but when you have a system all the year round of what is called "voluntary overtime," which is really compulsory overtime, that by degrees breaks down the willingness of the men, and in some cases they have refused to do it. Then there is the whole system of temporary labour, paid at from 18s. to 20s. a week, a system which must be bad both for the men and the Department. There is auxiliary labour in the newspaper department, both inland and foreign; there is a temporary mail staff and what is called the "permanent temporary staff," the meaning of which, perhaps, the Postmaster General will explain to the House, and there are also season substitutes. Then I come to the question of the female staff. I have been informed by several Members that there has been a statement in the Press that I am going to attack female labour. I have never had the smallest intention of doing so. On the contrary, I am one of those who have always advocated the employment of female labour; and I believe that no man in this House goes further than, or as far as, I do with regard to the rights of women to compete with men in all employments. I have not found that there is any hostility among the Post Office *employés* to the female staff; but, at the same time, when there is decided over-work for the men, and decided over-work for the women, and when the male staff see large additions being made to the female staff and none to their own, there is perhaps a little discontent, and that may have given rise to the false reports that have appeared in the Press. There has been a good deal of overtime work going on in the female staff. In two divisions, in which about 190 persons are employed, of whom one-third are females, they worked something like 27,000 hours overtime last year. I believe there is one section which worked in three months something like 3,600 hours overtime. In another, where four-fifths of the staff of about 100 are females, something like 22,000 hours overtime were worked last year. There are also many complaints from the ladies who are employed in the news Department. There has been a most erratic system of promotion with regard to the female branch, and they will be glad if their case can be included in the inquiry. With regard to female temporary clerks, when a lady in the Department marries, the order is that she has to leave, but her new name and address are taken, and when temporary work is required she is taken back again temporarily. There are cases of ladies who have been receiving 35s. a week before being married, and who have gone back to do temporary work at 20s. a week. It is impossible for me to mention every case in every branch which in my opinion deserves some consideration at the hands of the House of Commons. I cannot deal with the question of the provincial Establishments, but I am glad to say that the seconder of the Motion will do so. Let me pass now to the question of the reasonableness of the request for an inquiry of some kind. We have already had a Commission, known as the Ridley Commission, to inquire into the question, but it has been impossible for it to go into the whole working of the Post Office. I wish, however, that their recommendations had been carried out. I am told that there is no precedent for a Select Committee inquiring into such a question. To that my first answer is that there is no precedent for such general discontent in a State Department as at present exists in the Post Office: it is an exceptional case which demands exceptional treatment. In the Egyptian affair, when the Commissariat broke down, a Select Committee was appointed by the House of Commons to inquire into the matter, which is a proof that when something has gone wrong in a Department a Select Committee inquires into the matter. That something has gone wrong with regard to the Post Office was, I think, proved the other day, when we had before us a Savings Bank Bill, and a clause was put in it to extend the time for preparing the Savings Bank Returns, in order, I believe, to get the Postmaster General out of a difficulty with regard to the Savings Banks Department. That, however, is not a way in which things ought to be done. On April 20, 1888, the Postmaster General said that he did not approve of boys working overtime, and that arrangements were being made for its discontinuance. It seems to me that the whole organisation and administration are carried on in rather a makeshift fashion. There are, under the present system, extraordinary inequalities of condition, treatment, and position amongst the various branches of the Department. Until that system is inquired into and changed there will, I believe, always be discontent. In the face of that discontent the policy of the Post Office has always been a policy of suppression. I acknowledge that the Postmaster General has done much for those who are serving under him, and I believe he would have done much more if he had not been so fettered by the Treasury. At the same time I think it only right to point out that this policy of suppression has been followed, and that it is a very dangerous policy. The Department has acted in a spirit of hostility to the combinations of its servants; their right of meeting has been suppressed, even when they undertook to notify the time and place of meeting, and admit the official reporter; and they have been told that their meetings would be treated as acts of insubordination. In my opinion the hours of labour are excessive. I believe that overtime is the rule, and not the exception. Promotion is slow, and the temporary employment system does harm to those who are employed under it, and also to the permanent staff. The work is of a harassing nature, and is rapidly increasing in amount, while the permanent staff has not increased proportionately with the labour. I therefore ask that this question shall be inquired into by the House of Commons. I appeal to the Postmaster General to allow an inquiry to be held in order that the great State Department, of which he is the head, may be made thoroughly efficient, and put into good order. I also appeal to the Government who have this Session intervened in questions between employer and employed, and have said that excessive overtime ought not to be allowed, to sanction an inquiry. If these appeals are refused, I appeal to hon.

Members on both sides of the House. This is not a Party question in any degree whatever. I do not say the defects I have pointed out are the fault of the Government or of the Postmaster General; they are the fault of the system, which can only be remedied by full and proper inquiry. Such an inquiry as I ask for cannot do any harm, and I believe it will do much good. I appeal in the interests of good government, and of the efficiency of a State Department, and I also appeal on behalf of a large body of hard-working and deserving men for an inquiry into the whole system of a Department which is a source of large public revenue. I believe there is nothing which would tend to create good feeling and efficiency in that Department, so much as an inquiry into the grievances which have so long existed, and I beg to move the Motion which stands in my name.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House it is desirable that a Select Committee be appointed to inquire into the Administration of the Post Office,"—(*Earl Compton*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

(9.51.) MR. LOCKWOOD (York): In seconding the Motion, I wish at the outset to say I cordially agree with the statement of my noble Friend that this Motion is in no way directed at the administration of the present Postmaster General. It would be most unfair, having regard to the complex system which is involved in this Department, to make one particular individual responsible for the very serious condition of things which now exist. My noble Friend has said more than once that he has no wish to make the present Postmaster General responsible. We do not wish to endeavour to fix responsibility upon any individual Postmaster General who preceded the right hon. Gentleman who now holds this very important position, and, for the life of me, I cannot understand why the right hon. Gentleman holding the position he does should not be one of the first to court this inquiry. I do not know how long the right hon. Gentleman anticipates that he may personally hold the office he now occupies, but if he has any idea of that period being a lengthened one, let him have inquiry for selfish reasons and for his own comfort, but, if not, let him consent to this inquiry in order that the comfort of those who follow him may be enhanced. This House has on more than one occasion this Session been brought face to face with the accumulating difficulties between labour and capital. They have already troubled the House, and in all probability they will trouble the House still further. The House has always professed itself anxious and willing to throw itself into any inquiry upon matters relating to labour and capital if it can be shown that anything like a substantial grievance exists. How can any Government possibly endeavour in any way to frustrate inquiry into a Department over which they have control, and at the same time be willing to grant or order inquiries into matters for which they have no direct responsibility? The Postal Department is, fortunately for the country, a great paying Department. It is one of the few Departments of the State which has been remunerative, but none the less, nay all the more, ought we to see that no grievance can properly be put forward by those who assist us in the work. I do not propose to trouble the House at great length, because my noble Friend has gone into great detail. He has, however, dealt more especially with the case as presented by the Metropolitan offices, and I desire to ask the House to devote its attention for a few moments to the case as it exists in the provinces. Let us consider the nature of the employment of these men and women. They hold very responsible positions; the work subjects them to great mental strain, and the work is done frequently under conditions which makes it extremely arduous. In the first place the public expect from the Post Office servants accuracy in the discharge of their duty, they necessarily impose upon the servants great trust, and expect from them in return an honest discharge of their duty. Above all the public expect that the men will bring to bear on their work an unfailing intelligence. It is a very high standard of work that we require at the hands of these people. At the outset they prove themselves efficient by passing, I think in all cases, a competitive examination. Clearly this class of labour is one which is deserving of the very greatest attention, and any grievances the men may have ought not to be ignored. The first fault I have to find with the system is that the organisation works in a most unequal way. Take the case of the special services which are rendered by the servants of the Post Office. It may surprise some hon. Members to know that when the Telegraph Department is called upon to render special services in connection with public meetings, race meetings, and other events, the rule of the Central Office, according to a Minute of the late Secretary to the Post Office, is that the nearest available office shall render the assistance required. But for some reason, which it is not very difficult to understand, those who are responsible for the working of the Central Office have been anxious, in view of the minute investigation of Post Office procedure which has been going on of late, to reduce the amount of overtime at the Central Office; for it appears that when special assistance has been needed in what I may term the home circuit, instead of application being made to the Central Office, in accordance with the Memorandum, men are brought from long distances for the purpose. For example, at a recent race meeting at Epsom, it was necessary to provide telegraphists to do the special work, and instead of assistance being obtained from the Central Office, which was the nearest available office, one man was brought from Leeds, two from Derby, one from York, three from Manchester, three from Southampton, one from Northampton, and three from Birmingham to do the work. Where is the economy to be found in that? What thinks the House of a system under which such things can occur? What does the Financial Secretary, with his great business knowledge, think of it? Would he permit such a state of things in his own business? The assistance required was obtainable at the Central Office. The Memorandum said it should be obtained from that office. Why was it not so obtained? Because you dare not face the amount of overtime it would involve, and so you bring men from North, South, East, and West, in order to distribute the overtime over other offices, and to avoid the criticism which would inevitably ensue. Another general objection is the inequalities in the Regulations. It will doubtless be admitted by the Postmaster General that there is great objection, whether rightly or wrongly, to the system of classification—the system of dividing the *employés* into two or three classes. That is, I understand, one of the main grievances that exist in the Department. The system may be good, but let me show the right hon. Gentleman how unequally it works. In some places the length of service in, say, the second class is eight years; in other places it is 12 years, so that in some towns a man equally capable will have to work four years longer in the second class than another man in another town before getting into the first class. Surely inequalities of this kind ought not to exist in the system. But there is even a greater evil in connection with this system, and it is that of the classification of towns for the purpose of fixing the maximum weekly salary. I have a list before me, and it is impossible to understand the basis on which it is arranged. I am speaking now of the Telegraph Department. In the list there are groups of towns. I will take the first group. Manchester heads the list, and Birmingham is at the bottom. The maximum remuneration of the group is fixed at 56s. a week. There are 531 *employés* in the Manchester office and 253 in the Birmingham office. The casual observer will at first suppose that it has been determined by the authorities, for some reason or other, which it is hard to imagine, to make the amount of wages in a particular place depend upon the number of persons employed. Let me test the working of this grouping system. In group one Birmingham, with 253 *employés*, has a maximum wage of 56s. But when I come to group two, I find that Newcastle heads the list with 260 *employés* and a maximum wage of 54s. Last down on the list of group two stands Sheffield with 73 *employés*, but in group three Cardiff stands first with 138 *employés*, Hull has 87, Aberdeen 82, Plymouth 82, Bradford 82, and Exeter 78, all with a maximum of 52s. I fail to understand upon what intelligible basis this grouping is placed. It is, however, clear that very great discontent must be caused by such an unequal system. The late Mr. Fawcett, in his scheme of 1881, made the maximum remuneration uniform, and a great deal is certainly to be said in favour of that view. I believe that in his Report he urged that labour should be paid what it was worth, and that the remuneration should not depend on the strength of the company in which the individual happened to be engaged. I think that this is a blot on the Post Office system, which may fairly be made a subject of inquiry. Yet another subject of great complaint is that of the system of overtime, for overtime in the Post Office is not an exception: it is a system. A few days ago, when the hon. Member for East Northamptonshire brought forward a Motion about overtime worked by railway servants, the Government agreed to appoint a Committee to inquire into the misdoings of the companies in that respect. How, then, in face of that fact, can they refuse an inquiry in regard to similar evils in the Post Office? Though I cannot make the case stronger than the noble Lord has put it, yet I wish to give a few figures on this point. I find that in 1890, in Dublin, there were 90,000 hours of overtime worked; in Liverpool, in the same year, 67,000 hours; and in Manchester 57,000 hours; and it must not be forgotten that most of this overtime is worked in the summer months, and is consequently more harmful to those engaged in it. Another point is that this work is chiefly done by the persons of the junior or lower ranks, probationers and substitutes, and the object of this doubtless is to get the work done cheaply. But the system prejudicially affects the Post Office servants, the Service itself, and the public. It affects the servants because it interferes with promotion; the Service, because the work is not done so efficiently as it might otherwise be; and it affects the public because the duty cannot be so accurately performed as if done by persons in higher ranks. I venture to assert that by employing this class of labour the Department is not carrying out fairly the responsibilities which are entailed upon it with regard to the public. This matter of overtime is one of the utmost importance. Another subject to which I wish to allude is the question of promotion. Now, with regard to promotion in the Post Office, two systems are observed—that of selection and that of seniority. Doubtless much is to be said on behalf of both; but should not an opportunity be afforded of inquiring which of those modes is the best in the interests alike of the Service and of the public? We have recently had a revision scheme which no doubt has done something for the upper grades of the Department. But it has practically left the second class untouched, and this, naturally, has given rise to discontent. Let me call attention to the case of the rural postmen—a hard-working class of men who discharge their duties under trying circumstances, but who for some reason appear to be outside the pale of the Post Office, and not to be on the same footing as the other *employés* Why is it? I will give the House one instance which has lately been brought to my notice—the case of a postman who has a long service, and who is paid at the rate of 4s. a week.

MR. MACDONALD CAMERON (Wick, &c.): Four shillings a day.

MR. LOCKWOOD: No; it is 4s. a week. Two years ago he had four or five miles added to his beat, and was promised an increase of pay, but as yet he has not received it. He now walks 12 miles three days a week, and nine miles on the other three days. In the month of January this year this man delivered 1,221 letters; in February, 1,035 letters. I have no doubt there are hundreds of such cases. This is a pitiable case. What do hon. Gentlemen think of a system which is capable of such things as this? Yet I am told with regard to a system which is capable of this that there is to be no inquiry. We shall very likely be told that the Postmaster General is perfectly satisfied, and that there will be no inquiry. It is in no unfriendly spirit towards the administration of the right hon. Gentleman that I have made these remarks. It would be most unfair if the House were to consider these matters as in any sense reflecting on the personal administration of the right hon. Gentleman. I can only say for myself that whenever I have been brought into personal communication with him, I have met with unfailing courtesy. But there is no doubt the time has now come when this great overgrown system should be overhauled, and overhauled by impartial persons. What good could a departmental inquiry do into such a matter as this? The *employés* would not believe that it could take an unbiased view of the question. It is for these reasons that I second the Motion, and I hope to have a favourable answer from the right hon. Gentleman with regard to it.

(10.21.) Mr. AMBROSE (Middlesex, Harrow): The noble Lord who moved this Resolution told us that the Motion on the Paper was intended to deal not only with the machinery of the Post Office, but also with its working, as it affected the general public. That, too, was the view I took of the Resolution itself, and I confess that I expected to hear from the preceding speakers something as to the deficiency of the Post Office with regard to the general public. I do not know, of course, what Members who may follow will have to say, but certainly not one single point has been made, either by the noble Lord or by my hon. and learned Friend who seconded the Motion, showing that the Post Office has in the letter or the telegraph department failed in the discharge of its duties. So far from cursing the Post Office, indeed, the hon. Members have blessed it. To pass the Resolution submitted to the House would be an affront to the management of the Post Office.

*Earl COMPTON: No.

Mr. AMBROSE: I assure the House that I think it would. The noble Lord comes forward, however, as the best possible witness, for he says the Post Office has outgrown its clothes. Why? Because it has been successful; because it has been a profitable Department; because it has served people well, and the public have appreciated the services the Post Office has rendered. What would have been said if the Post Office had established a great and expensive staff for whom there was no work? Such things have happened. Take, for instance, the Registry of Land Department. A great outcry was made in this House with reference to the expenses of that Department. Provision was made for a staff for that Department, a number of well-qualified officials were appointed, and then it was found that there was very little work for them to do. But the Post Office is a paying Department, showing a surplus on the year of £1,500,000. It has a monopoly which is the property of the nation. But directly you attempt to conduct it on different lines, to pay wages on fancy lines, the surplus will soon disappear. What is the true meaning of the Resolution? It has been said truly that this is a labour question, and I should have thought that it would have been better to have left this struggle to be fought out in the usual way, without taking sides by a Motion in this House. As to the boy messengers, what did my noble Friend say about them? That was a question in which the Government were asserting a monopoly which belonged to the nation, and I hold that the Department were bound to assert the national right, irrespective of sympathy with one side or the other. My noble Friend said that he was glad to hear that that question had been settled, and he took credit to himself—credit that his Motion being on the Paper had had something to do with procuring that settlement. If that is so, all I can say is that it is a very great pity. Questions between capital and labour and between the Government and its *employés* should not be influenced by Motions in this House. We are all subjected as Members of this House to all manner of whips from *employés* of the Civil Service and the Post Office, and I know that when the *status* of the Civil Service clerks was being settled some time ago there was among Members generally a feeling of disgust at the telegrams and letters being received almost every minute from people seeking to influence our votes on some particular question of interest to them. I hope I shall always be sufficiently independent to do my duty in these matters, and not to allow myself to be dictated to on any question of the kind. The noble Lord, after giving us a number of instances of the overtime to which some of the clerks in the Savings Bank Department had been subjected, stated that the Ridley Commission laid it down that no clerk should be bound to work more than seven hours a day. Has the noble Lord read the Report of the Ridley Commission? The fact is, that the clerks were working only six hours a day, and the Commission said that instead of working six they should work seven hours—that is to say, that they should have an hour's additional work.

*EARL COMPTON: I beg the hon. and learned Member's pardon. I have read the Report of the Commission, but I do not think he can have paid much attention to the paragraph, which states that the evidence given by some of the clerks of the Government Office showed that the average amount of overtime work was five hours per day per man, and expresses the opinion that it cannot be right or desirable that such a system shall continue.

MR. AMBROSE: If the noble Lord would have waited for a moment I would have dealt with the question of overtime, which is a totally different question. The question of overtime arises mainly out of the attempt of the clerks to make their own terms. What I wish to point out is that the regular time of the Savings Bank clerks, and I believe of a good many of the Post Office clerks also, was six hours a day, and what the Commission said was that, instead of working only six hours, they should work seven. From that time to this there has been a struggle on the part of the Heads of Departments and the Treasury to get the hours increased accordingly; and the result has been that, so far as the Receiver General's and Accountants Departments are concerned, the men have acceded to the new arrangement, and with an increased pay—I think £30. But the Savings Bank clerks have refused the terms, and the consequence is, there has been a difficulty in getting through the work, and there has necessarily been a resort to overtime. As regards the question of compulsory overtime, the rule is this: the Post Office claim a right, when the Service requires it, to compel every clerk to work overtime, of course, with increased pay; but in practice the increased pay is always sufficient to attract men who will volunteer the labour. The noble Lord said he did not intend to make a personal attack on the Postmaster General; but has he seen a pamphlet published by his clients headed "Mr. Raikes and the Sweating System in the Post Office?" I think the noble Lord might have hesitated before attempting to act as the champion of the author of that pamphlet.

*EARL COMPTON: May I be allowed to state at once that I have no knowledge whatever of the authorship of any such pamphlet?

MR. AMBROSE: I am very glad to hear it; but it is a fact, nevertheless, though the noble Lord does not know it, that in the pamphlet all sorts of motives are imputed to the Postmaster General and the Financial Secretary. The noble Lord says this is not a Party question. Is it not? Does the noble Lord think the Service of the country can be conducted if the servants of the Government are to be encouraged in rebellion against the Government as these Post Office clerks have been encouraged? [*Cries of* "Oh!"] Well, what can you call it? Can discipline be maintained with a Select Committee sitting, with the Postmaster General and the Secretary and the Financial Secretary of the Post Office and the Head of every Department standing by, to hear all the servants called to give evidence as to their grievances for years past——

An hon. MEMBER: The Ridley Commission.

MR. AMBROSE: Well, that Commission is over, and we do not want another. At all events that Commission was general and not directed to any one Department. What would you think of the Great Northern Railway Company or any of our great Railway Companies if they appointed a Select Committee to consider the conduct of the Directors, and to inquire into the grievances of the men, and, if the workmen had votes, in the selection of the Directors? It seems to me that this Resolution is aimed at the Government, and that, whether intended or not, its effect must inevitably be to weaken the Government in the conduct of an important Department—a Department which can only be conducted successfully by maintaining discipline; and I shall certainly, therefore, vote against the Resolution.

*(10.42.) MR. NEVILLE (Liverpool, Exchange): I will not go into the grievances which the servants of the Post Office are subjected to, as I think they have been explained well enough to the House. But I want, as one of the Representatives of a great city, to emphasise the statements which have already been made as to the widespread discontent which does exist in the Postal De-

partment. For my part I always think that it is not a wise course, when a spirit of discontent exists, to avoid going into the question whether or not there really is a grievance at the bottom of it. As I understand the Motion to night, it is simply that this matter shall be inquired into, and I shall most heartily support an inquiry because I think it is one which, in the interests of the public as well as the interests of the Service, ought to take place. My hon. and learned Friend opposite (Mr. Ambrose) wanted to know why the Service would not be satisfied with a departmental inquiry. I confess I am surprised at such a suggestion coming from such an intelligent Member of this House. The reason is that it is the Department generally that is called in question, and it is a recognised principle that it is not wise to put the accused person in the position of Judge, because the probability is that he will find the case not proved, and that is why we want an independent tribunal to inquire into the charges made—into the general administration of the Department. My hon. and learned Friend expressed great indignation at a suggestion which he says emanates from some of the servants in the Postal Department, that the Department is guilty of the adoption of the sweating system, and in an early part of his speech he wondered how business could be carried on if we interfered in any shape or way with the laws of supply and demand. I wish to point out to my hon. and learned Friend that if the Government were to depend upon the unimpeded course of the law of supply and demand, if higher wages were never to be given than are demanded in the labour market, we should have the sweating system in full force. I feel that that is not the position that should be taken up by the Government of a country like this. The country should see that its servants are remunerated, not at the lowest rate at which labour can be obtained, but fairly, so as to enable them to maintain themselves and their families in decency and comfort. I cannot see any real hope for the working classes of this country if it is to be understood that the Government are to purchase labour at starvation wages rather than interfere with the law of supply and demand. I am afraid that, however good the intentions of the Postmaster General may be, he is not in a position that permits him to carry those good intentions into effect. When the Postmaster General, some 12 months ago, held out hopes that the second-class telegraphists at Liverpool would have their salaries increased, for some few weeks afterwards those men received increased pay. Then, as I understand, a Treasury Minute was issued, and not only was the increased pay of those unfortunate men stopped, but they were compelled to refund that which they had already received. After that, we cannot rely much on the good intentions of the Postmaster General, because we cannot believe he has sufficient authority to carry them out.

(10.48) General GOLDSWORTHY (Hammersmith): The only doubt I have on this question arises from the fact that I think it is most detrimental that the Service should be interfered with, and the public put to inconvenience by agitations such as have recently taken place. Still, I agree with the noble Lord opposite that we should have an inquiry into the grievances of the staff. I beg most respectfully to submit to the First Lord of the Treasury whether it would not be possible to have an inquiry into the administration of the Post Office very much on the lines of the recent inquiry by the Chancellor of the Exchequer and the Financial Secretary to the Treasury into the working of the Customs House. That inquiry brought to light several grievances. The Chancellor of the Exchequer and the Financial Secretary, went exhaustively into the complaints that were made, and ascertained that there were grievances to be redressed. The Postmaster General has done something for the Post Office, but I feel that he has not gone far enough. I do not consider it is right for this country to employ its servants at a low rate of wages. No private employer would do what the Government have done, but if the Government encourages overwork, private employers will do the same. I appeal to the Government to assent to an inquiry of the nature I have mentioned, without any reflection on the Postmaster General whatever.

*(10.50.) Sir E. J. REED (Cardiff): The right hon. and gallant Member who has just sat down remarked that it was un-

desirable to encourage agitation among public servants, and with that observation I entirely agree; but I think it is a pity that public Departments are so conducted as to render such agitation inevitable. At a large meeting of the Post Office *employés* it was my fortune to attend, I ascertained that undoubted grievances did exist among them. I think the Postmaster General himself and his principal advisers do not make sufficient allowances for the feelings, the expectations, and the disappointment of their own officers. Twelve months ago when a similar Motion to this was brought before the House I had to take considerable notice of the case of the Cardiff telegraphists, and I am bound to say that on every occasion, when I put the Postmaster General to the trouble of speaking with me on the subject, he answered me most fairly and considerately. I believe he has tried to do, and I do not doubt he thinks he has done all that could fairly and reasonably be expected of him. But what is the state of things? I venture to think that the group of Cardiff telegraphists, having been distributed about the country, are the nuclei of agitation and dissatisfaction that will never be stopped until something like what they regard as justice is done to them. Here we have a number of zealous and excellent officials, for no proved complaint or even declared suspicion, sent away at the briefest possible notice from the town in which they resided, and subjected to several serious disadvantages, all of a penal character. I doubt whether the Postmaster General has ever understood the real feeling which exists in the breasts of these men, and of the whole telegraphic staff of the country, because of the treatment they have received. I should have no justification for reviving this question if the grievance were limited to some half-dozen gentlemen. But it is a burning cause of complaint throughout the whole telegraphic service, and I believe it will continue to be so until redress is given to these innocent men. It is quite true that some of these officers have been promoted to the 1st Class, and are more or less approximately contented. But the Post Office seems to think that if it sends a man into 2nd Class from one town to another, and keeps him in the same class, it will do him no injury. But what is really done in many cases is to snatch a man away from prospective and imminent promotion, and to send him to another town where he goes to the bottom of the list in the same class and is thus deprived of a reasonable expectation of promotion. I feel, however, that in all these personal matters we shall be more likely to get individual grievances set right by appeals to the Postmaster General, and to his good sense and good feeling than in any other way. If I may make a criticism on the Debate of the evening, I must say I should have liked to see it extended to a statement of the shortcomings of the Post Office not only in relation to the personal staff, but to the growing necessities of this country and this Empire. I believe the reason of much discontent is that the Treasury absorbs the earnings of the Post Office in too great a degree. I remember having a conversation with the late Mr. Fawcett when he became Postmaster General, and I believe he entered the Post Office with the idea that he was about to undertake the charge of one of the most successful and praiseworthy Departments of the State. I took the liberty of telling him that I held the contrary view. I said I thought the Post Office the most inefficient Department that I ever knew, and pointed out to Mr. Fawcett that in many of the remote parts of Japan they had a better postal service than we have even now in many of the rural parts of this country. I do not advocate an inquiry with any view of casting discredit upon the Government, but there is only one way that I know of to improve the Service generally, and that is to strengthen the hands of the Postmaster General against the demands of the Chancellor of the Exchequer. Mr. Fawcett, I remember, told me that he had informed Mr. Gladstone that unless he allowed him to retain in the coming year at least £200,000 out of the profits of the Post Office for the purpose of developing the Service, he should not feel justified in continuing in his office or attempting to conduct the Department. There can be no doubt that the profit appropriated by the Chancellor of the Exchequer is greater now than it has ever been before. [Mr. GOSCHEN: No.] At all events, it is to the appropriation of that profit I attribute much of the disadvantage under which the Postmaster General labours. I appealed to the Postmaster General to give further consideration to the cases of the gentlemen I have mentioned, because it is a burning shame that, in any great Department, there should be men, not convicted and not even charged with a fault, suffering for the rest of their lives disadvantages to which they never ought to have been subjected.

(11.4.) Mr. HENNIKER HEATON (Canterbury): The strained relations which have existed between the Postmaster General and myself during the last few years render it extremely difficult for me to take part in this discussion. I regret that the Resolution is not framed in a manner to commend it to the House and the public, because it does not embrace the grievances of the public, and it is concerned only with the grievances of the staff which it is well known have been recently alleviated at an annual cost of £250,000. It is perfectly well known that the Treasury embarrasses the Postmaster General to a considerable extent. I am debarred from voting for the Resolution because it does not refer to the grievances of the public. The first point of the public interest involved in these questions is the relation between the Post Office and the Treasury, for it is the Treasury that impedes the Postmaster General by appropriating the £3,000,000, out of which must come the cost of extending the postal facilities. During the last few years great reforms have been carried out, but unfortunately in the teeth of opposition from the permanent officials of the Post Office and from the Treasury, and the present Postmaster General will retire from office without getting credit for any of them; they were forced upon the officials, and he had to fight the Treasury during the whole period. There are certain grievances, the ventilation of which will interest the public; and some of these affect newspapers. Of late the permanent officials, through the mouth of the Postmaster General, have been issuing edicts against newspapers which contain too much news of general interest as distinct from news of current interest. If less than one-third of the contents of a paper is news of current interest then it is not carried by the Post Office at newspaper rates. A more miserable and unworthy edict was never issued. The edicts of the Postmaster General in this respect have caused great dissatisfaction among the thinking portion of the community. Another great trouble to the people of the country is as regards circulars. In Continental countries circulars are sent in open envelopes; in this country the Postmaster General imposes a heavy fine on any circular which is included in an open envelope. This is an irritating restriction. A circular must be gummed across, or have a piece of string round it, and be open at both ends. If the Postmaster General would adopt the simple experiment used in America, of sending circulars in open envelopes, he would give great satisfaction to the trading community. Such a plan would permit of easy action. Another grievance is with reference to re-addressed letters. If a person sends a letter re addressed from Birmingham to London, a fine of one penny is imposed. Some hon. Members may not be aware that in the Postal Union if a letter is carried here from France, it is carried free of charge; the Government of France get the whole postage, and we do the work without any charge whatever. But in the case of a letter posted from Birmingham to London, the English Government get all the profits of the stamp, yet they charge the public for re-addressing it to another part of England. That is one of the other small reforms which we have asked from the Postmaster General, who always replies that the Treasury stands in the way. Another grievance is the refusal to allow type-written letters to go through the Post Office as ordinary circulars. The Postmaster General will soon learn that he will have to give in with regard to this. Another small reform which is needed has reference to postcards. When will the Postmaster General grant the request of the whole people of the country to buy them at the face value of ½d.? Every Member of Parliament wants this reform; yet when I have asked for it two or three times, the Postmaster General has refused, or referred me to the Treasury. Again, why should not the hour of collection be stamped on the letters as well as the date? Two hundred Members of the

House of Commons have signed a Requisition to the Postmaster General asking that the plan adopted in America and on the Continent should be put in force here, by which the hour of collection is stamped on the letter as well as the date. It would cost no more, and it would be a protection to the public from unnecessary delay in delivery. But that reform has not yet been carried out. There are other reforms which have been continually put before the Postmaster General, and for which a favourable consideration has been promised, although that promise has never been carried out. One of the great troubles of the public is the Postal Guide. A more confusing document could not possibly be issued. It is issued in the interests of the Department, but is so complicated a work that only an expert can understand it, and, beyond this, the Department are continually puzzling the public by the issue of new copies, so that the public are totally unable to understand how to carry on their correspondence in the best manner. I now turn to the Telegraph Department. There is no doubt that the question of reforms in this Department is really engaging the attention of the public, and I think that the sooner we carry out the necessary reforms the greater will be the advantage to the public and the higher the honour that will be conferred on to the Department. We are told that the Telegraph Department is already beginning to pay, and we think we have a right to ask that the addresses on the telegrams shall be sent free, as well as the telegram, on condition that the address does not exceed eight words. There are other miserable and irritating annoyances in connection with the Telegraph Department, to which I will direct the attention of the Postmaster General. One of these is the charge made for the receipt of telegrams. Under the present arrangement 2d. is charged for the receipt for a sixpenny telegram, whereas if I were to give a receipt for £100 I only have to pay 1d. I ask the right hon. Gentleman the Postmaster General to remedy this grievance. I may remind him that he promised to do so three years ago; but last year he wrote a most humiliating confession, that although he had asked the Treasury to enable him to carry out this reform, they had refused to accede to his request. The whole thing would not amount to the loss of £10 a year, and yet the right hon. Gentleman is unable to persuade the Treasury authorities to carry out this small reform. The public also complain of the worry and annoyance occasioned by the rules of the Telegraph Department with regard to compound words in telegrams. The names of places are often charged as two and three words in place of one word. For example, "De Vere" is charged for as one word, while "De Vere Gardens" is charged for as three words. Again, the word "won't" is charged for as one word, while "shan't" is charged for as two. "Upstairs" is charged for as one word, and "downstairs" as two words. "Baron de Worms" is charged for as one word, while "Orr Ewing" is two words. There are many other anomalies of this kind which might easily be remedied with very little loss to the Revenue. There are no fewer than 100 places in England which are charged for as two words, but which ought only to be charged for as one, and I would suggest to the right hon. Gentleman that all compound words should in future be charged as one word only. That, at any rate, is the common-sense view to take of the matter. In doing this the Postmaster General would be conferring a boon upon the public which would be fully appreciated, and which could be granted at a very small cost. I hope that the result of these annoyances from which the public suffer will be the appointment of a Committee, not composed of members of the Postmaster General's Department nor of the Treasury, but of Members of the House of Commons, in order to see whether or not the reforms I have indicated could be carried out in the interests of the general public. I have only further to thank the House for the attention with which it has listened to my remarks, and to express my earnest hope that some such reforms as I have suggested will speedily be carried out.

(11.24.) Mr. CAUSTON (Southwark, W.): Notwithstanding the long list of grievances which the hon. Gentleman the Member for Canterbury has brought forward against the Post Office, I gather from what he has said that, notwithstanding the strained relations between the right hon. Gentleman the Postmaster General and himself, the hon. Member does not intend to vote for the Motion of the noble Lord the Member for Barnsley (Earl Compton). We have heard the speech of the hon. Member for the Harrow Division (Mr. Ambrose), and I am sure we shall all deplore the inconvenience that he has suffered by the great pressure that has been brought to bear upon him by discontented Post Office officials; but, at the same time, we cannot but congratulate him on the noble independence he has displayed in the resistance he has offered to these attacks. My noble Friend (Earl Compton) and the hon. Member for York (Mr. Lockwood), and the hon. Member for Liverpool (Mr. Neville), have made out a very good case for inquiry. I do not desire to prolong this discussion by going into many details, but, at the same time, I cannot see why an inquiry should not be held into the administration of this great Department. We have had inquiries relating to the Army and Navy, and I want to know why we should not have an inquiry into this great business Department—the Post Office. It is said that this question ought not to be made a Party question, and in that remark I cordially agree. We are all interested in the success of the Post Office and its good conduct, and I do not see how the inquiry can detrimentally interfere with either. It is not only a question of labour, but there are various other matters which would have to be inquired into, such as have been referred to by the hon. Member for Canterbury, one of them relating to the charges made for the service rendered and the regulations enforced with regard to parcel post, book post, and letters. There is no doubt that our commercial interests suffer greatly from the anomalies in connection with these matters. The hon. Member for Canterbury has said that he has for three years been attacking the Postmaster General without any good result. Therefore I think that the hon. Member ought to vote for the proposed inquiry. With regard to labour, there is discontent among the postmen and telegraphists, and postal and savings banks clerks, and their grievances have been pressed forward not only by the officials themselves, but by the public at large, who take an interest in deserving public servants. If everything is right the Department has nothing to fear; if there is anything wrong it ought not to be left without investigation. The Government on this question ought to desire that their followers should give an independent and not a Party vote. Without occupying further time I would earnestly press upon the Government the desirability of granting a Select Committee or a Royal Commission on this question. It ought not to be a departmental inquiry, because a merely departmental inquiry would not give satisfaction. If we desire to give satisfaction alike to the Post Office officials and to the public by all means let us have an inquiry with which all persons interested are likely to be satisfied. I can only further express my sincere hope that the Postmaster General and the Chancellor of the Exchequer will agree to the Motion of my noble Friend.

(11.30.) THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): In the first place, I wish to recognise the very kindly and conciliatory tone towards myself personally which has pervaded all the speeches in support of what is practically a Vote of Censure upon my administration. But having said that, I am bound also to confess that I have listened with a great deal of surprise—I may say of astonishment—to very much that has been said to-night. The noble Lord who brought forward the Motion, and the hon. and learned Gentleman who seconded it, and other hon. Members, have talked of the "widespread discontent throughout the ranks of the Postal Service," of the "general dissatisfaction," and of several things of that sort. I beg to traverse those charges. There is no "widespread discontent," no "general dissatisfaction." I will go further, and say that at no time of late years has there been a more general feeling of content and satisfaction among the *employés.* One would think that the speeches made by the noble Lord and others who followed him had been rehearsed last year, when, no doubt, there was considerable discontent and dissatisfaction; but in not one of those speeches was there one word as to what has been done to allay that discontent and remove that dissatisfaction. The noble Lord and the hon. Gentleman who supported him have been silent about that. I do not wish to detain the House by dwelling upon the steps which have been taken, particularly as I had an opportunity eight or ten months ago of imparting to the House what had then been done to meet the demands and satisfy the requirements of the Post Office officials. But it is due to the House, after what has been said, or rather has not been said, to state that what has been done comprises the following changes: Overtime, as far as postal clerks and telegraphists are concerned, is now paid at a rate and a quarter. The cost of that payment is estimated at £11,000 per annum. Extra pay for Sunday work, which in the provinces amounts to double pay, comes to £53,000 a year; the improvement in the wages in the provinces, £47,500 a year; in the London Central Telegraph Office, £13,000 a year; and in the Metropolitan district to £5,500 a year; extra pay, given upon Bank holidays, £22,000 a year; the revision of the superintending classes throughout the Kingdom now in progress, and about half completed, is estimated to cost £41,000 a year, and the sick pay additionally granted comes to £15,000 a year. The total amount of these additions to wages and the improvements in the condition of sorting clerks and telegraphists amounts to no less an addition to the annual charge on the country than £207,000, and to all this not one single reference has escaped those who have spoken.

*Earl COMPTON: The right hon. Gentleman must have forgotten that I alluded to the benefits which have recently been granted, and I thanked the right hon. Gentleman for them.

*Mr. RAIKES: I think the noble Lord has done so in a very perfunctory manner, and has referred to these things only to dismiss them. When this question was under the consideration of the Government last year they laid down a clear policy, namely, to increase the numbers of the staff so as to reduce overtime, to deal with those various financial changes to which I have referred, and to improve and adjust the position of the superior officers. All that has been done, or is in the course of being done—the whole of the machinery for carrying out that policy is in working order. Overtime, with the one exception of the office to which so much reference has been made, is not excessive, and all that is required is to leave these reforms to bear their natural fruit, and to test by experience how far they correspond to the just anticipations which have been formed. I think that when the noble Lord commenced his remarks he must have rather disappointed many of those who came here to-night expecting to hear from him a general and comprehensive indictment of the administration of the Post Office. I think that they must have been a little surprised when they found that the noble Lord dealt merely in the way of putting them aside with the various questions which he enumerated, such as that of communication between the Western Highlands and with the North of Ireland, further facilities with regard to postcards, and with that question of colonial postage which is so dear to the heart of the hon. Member for Canterbury, and, in fact, many interesting topics to which he referred only to put them aside. I will only refer to one other of those extraneous matters which the noble Lord has mentioned in more than one sentence, namely, the recent controversy with the Boy Messenger Company. For my own part, I have no wish to drag the House into a discussion on that point, which would be outside the general course of this Debate; but as the noble Lord has been good enough to take credit to himself for supposing that his having put down this Motion has accelerated the settlement, I may say that it never crossed my mind that the noble Lord could possibly have dragged that question into the Debate which he proposed to originate to-night, and I must regretfully disabuse the noble Lord of any of the prestige which might possibly attach to him that he had contributed in any manner to the settlement of that question. The noble Lord talked about Petitions to the Postmaster General, and said that there had been a great many. For my own part I suppose that no Postmaster General has ever received so many or has answered so many, as myself, and I can assure the noble Lord that, if he thinks that these Petitions were burked on their way to me, he is entirely mistaken. There might be some irregularity in the form of a Petition, or some impropriety in its expressions which might lead the head of the branch of the

Department to send it back to the petitioners, informing them that it was not in proper form; but even in such a case, as far as I can say, I believe I am always made aware of the fact that a Petition has been presented, and the reasons for its being sent back. In the case of the Petition of the London sorting force with regard to the Medical Department, they were told that that was a Petition which their superior officer would not be justified in forwarding, at least as far as that branch of the Department was concerned, and I do not think they were the people whom the Postmaster General could gain by consulting as to the constitution of the Medical Department. Although I am always ready to take notice of any specific complaint made in any particular case against any medical officer, it would be almost impossible to conduct the business of the office if the Postmaster General had to take into his confidence all the sorters of the office as to who was best fitted to be a medical adviser to the Post Office. I have, however, been informed of the Petition, and have endorsed the action of the officer who told them that it was an irregular Petition, and one that could not be presented. With regard to the Petition of the Savings Bank clerks, which it is said had been intercepted by the Financial Secretary to the Post Office, it is perfectly true that the Financial Secretary had referred that Petition back to the memorialists, intimating that it was a document which would not serve their interests, and advising them for their own sakes not to present it. What followed? They did present it, and it reached me through the Comptroller of the Savings Bank instead of the Financial Secretary. I believe that the head of the Department is kept perfectly informed as to every Petition, or suggestion, or memorial that emanates from any class or any branch of it. The case which has been made most of, and which I admit is a serious one, though not one which, in my opinion can in any way be elucidated by a Parliamentary Committee, is the question of overtime in the Savings Bank. I desire to point out that during the sitting of the Ridley Commission, to which so much reference has been made, the staff was not recruited, and it accordingly declined in numbers. The *status* of these men was being inquired into, and the staff, not being increased, diminished. Thus overtime necessarily grew. It is to be regretted, but it could not be avoided. Till last year, however, overtime was very popular, and officers who have left the Savings Bank Department and been removed to other Departments volunteered for overtime at Christmas. When the period of compulsory overtime expired, only the other day, 138 out of 531 came forward and voluntarily offered to continue overtime. I mention this to show that overtime is not regarded by the staff as an unmixed evil, as is sometimes supposed. The noble Lord said that 531 men had worked 268,000 hours overtime, and that this amounted to the services of 150 men all the year round. I cannot accept that computation, because if you divide 268,000 by 531, the proportion is a trifle over 500 hours, and I cannot see how the proportion of 500 hours can require the services of such a staff as 150 men. But the staff has now been increased, and the Department is in a position to dispense with excessive overtime. Some time ago I stated in the House that overtime in the Post Office was voluntary. Exception has been taken to that statement, but I was perfectly justified in making it at the time. No difficulty had ever been experienced in obtaining volunteers, and it was not thought that at any time it would be necessary to have recourse to compulsion. Certain men in the Department, however, conceived the idea of putting the Government in a position of embarrassment, from volunteering for overtime, and declined to work themselves. Then it was that it became necessary to resort to compulsion and to exercise that inherent power which resides in the head of every Department, as in every place of business, to insist on the necessary work of the country being done and to insist upon the servants of the Department assisting in performing their duty to the State. Now, what were the grievances of those 551 clerks? Their position had been improved—they had received a substantial addition to their salaries, and the maximum salary had been raised from £300 to £350. They had also received assurances that their prospects of promotion would be most jealously safeguarded. Yet they were not satisfied. Why was this?

Because, in my opinion, and in that of my principal advisers, it was undesirable at present to increase the numbers of a staff which showed a disposition to give trouble. Accordingly the Department resorted to the alternative of bringing in female instead of male clerks. To this the male clerks objected. They said that they always expected that, as the business of the Department grew, the number of male clerks would increase, and that the number of superior appointments would also be increased—that they not only expected that their prospects of promotion would remain as good as when they entered, but that they would improve by reason of the increase of the clerks. That was an attitude which no one responsible for the Department could recognise. They were entitled to just and considerable treatment; but they could not be permitted to assume that the Department existed for their benefit. These clerks further said that their prospects of promotion were threatened because it was possible that under the new arrangements the number of superior appointments might diminish. I do not deny that there is something to be said for that contention. All I can say in answer to it is that I have determined, and so have those who are engaged on the permanent work of the Department, that in so far as in us lies we will protect the interests of all the men now in the service as far as their prospects of promotion go. And I would point out that, as they are now all members of the second division, their prospects of promotion are not limited to the particular branch in which they serve. Having now given what I hope is a perfectly fair and candid account of the question raised between the clerks in the Savings Bank and the authorities of the Post Office, I hope I have, in the opinion of the House, really exploded the only thing which looked like a substantial grievance. The noble Lord also touched upon one or two points. He referred to the long hours which telegraph boys have been called on in some cases to work. I entirely agree with what the noble Lord said as to the desirability of not employing boys for such long hours. I very much deprecate their employment for such long hours; but I think it would perhaps have been more useful to the boys themselves, and fairer to me, if the noble Lord had supplied me with the instances to which he referred, and, by writing to me, given me an opportunity of redressing any particular grievance. I would like, however, to point out in this connection that it has been made during the last few weeks a matter of great complaint against the new Post Office Express Service that I did not send out boys at all hours of the night. The noble Lord has also referred to the drivers of mail carts. He said they got 24s. a week and worked from 4 in the morning to 8 o'clock in the evening. I cannot suppose that their work is continuous; there must be considerable intervals; but I do not see that I am called upon to interfere in the private conduct of their business by the contractors now serving the public unless some serious known grievanceis brought to my notice. I have done my very best in the course of the last three years to cut down the long hours during which the postmen work, and there is hardly an important town in the country in which I have not succeeded, with the full assent of the Treasury, in reducing their hours to 12, or at the outside to 13. And the House must remember that I do not mean by that, continuous work. Those are the extreme hours over which the work is spread. As regards the rural postmen, I shall always be very glad to deal with any question of hardship in any special case. Since last year the Government has taken a very important step in suppressing the class of unestablished London postmen at 18s. a week, whose grievances formed so fertile a topic in the discussion which took place in 1890, and all the men it was possible to take into the Service are now established postmen. I think the noble Lord might have informed himself on that point before referring to the matter in a manner which led the House to imagine that the unestablished force still existed. With regard to the question of temporary employment of female telegraph clerks at lower wages, where should the Post Office go for it if not to their old servants? There is many a former female clerk whose matrimonial venture may not have been altogether successful, and who may have been left a widow with children to support. She is, at all events, in a position to claim the sympathy and consideration of the Department. As to the wages given, it is not possible to give temporary assistants anything like the wages earned by the regular servants, but I believe that in many cases 20s. a week is most thankfully received and most usefully applied. The hon. and learned Member for York drew attention to the question of the Epsom telegraphists. I think the hon. and learned Member is misinformed if he supposes that the whole of the Epsom staff is composed of men drawn from York, Manchester, Derby, and other places so far away; but I would point out that it is not desirable entirely to complete the temporary staff at Epsom from the Central Office, because every telegram from Epsom has to pass through the Central Office, and that is, therefore, not a time when the Central Office can afford to be depleted. With regard to the grouping of offices, I am not surprised that that should be a subject of criticism outside the Department. I am not certain now that we may not have gone a little too far in that direction; but the groups have in every case been based upon the character of the work, a matter upon which it is impossible for an outsider to form any opinion. The local authorities are undoubtedly the best judges of the nature and character of the work that passes through their hands. I am very much afraid that if one dead level maximum had been fixed it would have been impossible to fix it at a high point, and that, instead of the telegraphists of Manchester, Liverpool, and Birmingham earning 56s. a week as a maximum, they would more probably have had to be content with 50s. It is more than likely that the House and the Treasury would have said, "If we are to have one maximum only, we shall level down instead of up." The hon. Member for Liverpool, who apparently spoke chiefly with the object of denouncing the laws of supply and demand, took exception to an unfortunate incident that has affected some of the telegraphists at Liverpool. It is quite true that there was a mistake in an official document, and that by the document as printed it appeared that the Treasury sanctioned salaries of £155 instead of £150. The mistake—I do not know who is responsible for it, possibly the Queen's Printers—unfortunately escaped notice. If £155 had been retained as the amount of the salaries, it would have been necessary to give the same sum to all the men in the same position in the future, and to allow it also to the clerks in Manchester, Birmingham, Glasgow, and other towns. An unnecessary expenditure would thus have been involved which we did not feel justified in asking Parliament to sanction. I am extremely sorry for the disappointment caused to the gentlemen concerned, but I hope that when they obtain their next annual increment they will forget not only the disappointment, but give the Department credit for not having attempted to perpetrate anything like a cruel hoax. The hon. Member for Cardiff has aired again the grievances of some of his interesting constituents. Having already discussed the question fully in this House, and having obtained from the House last year an express ratification of the course which I thought proper to take on the occasion referred to by the hon. Member, I must, with all respect to the hon. Member, decline to go into the question now. Discipline is discipline, order is order, and the Postmaster General must be given some little discretion, and when he thinks that certain clerks will be better employed at one office than another the personal interests of those clerks ought to be subordinated to the public interest. I am happy, however, to be able to inform the hon. Member that three of the seven clerks whom he has in his mind have been promoted to the first class in the offices to which they now belong, a promotion which they could not have obtained if they had remained at Cardiff. The hon. Member for Canterbury will forgive me if I do not follow him through the wide field which he has traversed. I wish the hon. Member would give the Government generally the credit which he is good enough to give to me. There is no reason why any distinction should be drawn between myself and my colleagues, who are equally desirous to do what can be done to improve the Postal Service. I appeal to the House not to encourage by any uncertainty in their decision to-night any recrudescence of that unfortunate feeling of discontent and dissatisfaction which at the present moment is almost at vanishing point in the Service. The noble Lord opposite is doubtless not aware of it, but he is being put in motion by the expiring Committees of the old agitation, and they do not represent any general feeling in the Service. I think I have shown to the House that the Post Office, the Treasury, and Her Majesty's Government have given the most careful, most exhaustive, attention to all the grievances which have been brought before them, and have afforded most substantial and, as I believe, complete relief. It would never do if, in order to encourage the vapourings of three or four of those gutter journals which disfigure the Metropolitan Press, Members of this House were to make the grave mistake of throwing discredit upon a body of men like the permanent officials of the Post Office, of whom any country might be proud, with whom, I believe, any Minister would be delighted to work, and of diminishing the authority in his own Department of a Minister who, whatever may be his personal deficiencies, at least believes that he has done nothing to forfeit the confidence of this House.

(12.8.) MR. THEDORE FRY (Darlington): I wish to draw the attention of the right hon. Gentleman to the question of the opening of private letters presumably at Post Offices in Ireland. This subject was raised many years ago, and questions have been put to predecessors of the right hon. Gentleman, the invariable answer being that such things never occur. But further cases have recently come to my notice, for letters of mine to Father O'Connor, a priest of Achill, have been opened before they reached my correspondent, and letters to me from Father O'Connor have been similarly treated. A political leaflet was abstracted from a letter which was sent to the rev. gentleman, and a photograph was abstracted from a letter sent to me. I sent a second letter and asked Father O'Connor to look carefully to see if it had been tampered with. He found it had. I then sent a third, and asked him to return it to me unopened. He did so, and I then found it had been re-opened and re-sealed. A railway official in Ireland told me that he believed a great proportion of his letters were opened. I have heard of other cases in which private letters have been opened, and whether this is done from curiosity or by official orders, it is a matter which demands the serious attention of the Postmaster General.

*MR. RAIKES: If the hon. Member will send me the envelopes of any letters which have been opened, I shall be glad to institute inquiry. Of

course, the Post Office cannot open letters; it would be a legal offence for any one in the Post Office to open them; and, therefore, they cannot be opened under official orders.

(12.12.) MR. FLYNN (Cork, N.): If it is an offence against the law, then unfortunately the law is very frequently broken in Ireland by high officials, and with the connivance of the authorities. We have brought numerous cases under the notice of the right hon. Gentleman, and in fact it is quite a customary practice. There are certain Post Offices in my constituency in which it is done invariably, and if I am sending a confidential letter to a priest or to a well known Nationalist, I have to send it under cover to some one else. That is a common precaution nowadays. We do not charge the right hon. Gentleman with knowledge of the practice, but we say that the tone which he assumes in regard to our complaint is calculated to encourage the Post Office officials to look upon this as a trifling matter. I can only repeat that if the opening of letters is an infraction of the law such infractions of the law are committed daily in Ireland.

(12.14.) MR. SEXTON (Belfast, W.): Year after year I have complained of the practice. I wish the hon. Member joy of what will follow from sending envelopes to the Postmaster General. After a decent interval there will come a reply stating that searching and exhaustive inquiry has been made without any result. I can tell the Postmaster General that private letters are habitually and daily opened by his officials in Ireland. I have made complaint of it to him without result. I say that of all the mean devices by which Government is carried on, this mean and sneaking system is the worst, and we shall denounce it if it were proved against the meanest Government in Europe.

(12.15.) The House divided:—Ayes 163; Noes 93.—(Div. List, No. 139.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Motion, by leave, withdrawn.

SUPPLY. — Committee upon Monday next.

FALSE MARKING PREVENTION (No. 2) BILL.—(No. 187.)

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. T. M. HEALY (Longford, N.): What explanation are we to have of this Bill?

*(12.27.) Mr. HOWARD VINCENT (Sheffield, Central): This is a simple amendment of a sub-clause in the Merchandise Marks Act, 1887. Last year evidence was given before the Select Committee showing that two inconsistent facts have to concur to constitute the offence of blind marking, and the enactment is thus rendered nugatory. The evidence of the Cutlers' Company before the Select Committee showed that the Sub-sections B and C of Subsection 3 of Section 3 are utterly inconsistent, and the Bill simply proposes that the superfluous Sub-section B shall be omitted, in order that the law may be enforced. I hope that the House will not object to the Second Reading, on the ground so fully stated in the Memorandum that I need not further detain the House at this late hour.

(12.29.) The ATTORNEY GENERAL (Sir R. Webster, Isle of Wight): I think that the matter required more consideration than has been given it in the hon. Member's speech. The question is whether the Sub-section really requires any Amendment. It appears to me that the Sub-sections which are said to be inconsistent may in certain cases have to stand together, and I think some explanation is necessary. I should like to explain in a few words what would be the effect of their standing together. I join issue with my hon. and gallant Friend as to what would be the state of things if they were read separately. Sub-section 3 requires, that in order for it to be an offence, the false or improper naming shall be identical with or a colourable imitation of the name of some other person carrying on a similar business. Take the case of a well known firm, such as Parkins and Gotto, one condition of an offence would be that that name should be taken fictitiously, or used by some persons not *bonâ fide* carrying on business in the class of goods dealt in by Parkins and Gotto; and the two conditions must co-exist together. It is not intended to prevent a man from trading in his own name, and also in an assumed name so long as he does not thereby do injury to another person. It is a matter for grave consideration, whether or not the two conditions ought not to exist together, namely, imitation of a rival trader and no justification for the use of the name in your own business. There are names used which are fictitious, but well-known in trade such as "Waukenphast," which everybody know is not a man's name, but merely a corruption of "Walking fast." It would be ridiculous to propose to stop the use of that name because it is fictitious, when its use is doing no harm to anyone. I do not wish to express a final opinion on the hon. and gallant Member's proposal. It is rather a question for hon. Members who are acquainted with trading matters, and I do not pretend to indicate to them what should be the decision of the House on the subject. I did think, however, it might be of service to the House to point out what is the effect of the conditions if they are read together, and what will be the effect of the change proposed by the hon. and gallant Gentleman.

(12.34). Mr. HALDANE (Haddington): I certainly agree with the view presented to the House by the Attorney General on the part of the Government. This Bill seems to me to be another of the series of attempts that have been made by traders from time to time to commit a robbery on the English language. They want to secure a monopoly in names for trading purposes. The attempt has been made over and over again in the Civil Courts, and it has failed as often as it has been made. The doctrine laid down by the Courts comes to this: that a person may trade in whatever name he pleases, so long as he does not infringe a trade mark or is not guilty of a fraud, and what the hon. and gallant Member wants to do is to secure to the traders rights that they have not got at present. He is trying to invoke the Criminal Law to do what he knows the Courts, in the exercise of their equitable jurisdiction, would never do. He wants to make it an offence to carry on business under a fictitious name, though that name is used *bonâ fide* as a kind of advertisement.

*MR. HOWARD VINCENT: No; because a trading name can be registered.

MR. HALDANE: What difference ought that to make? The question is, whether anyone has the right to appropriate and enjoy a monopoly in a part of the English language. Under the circumstances, the House ought to consider carefully before extending privileges which are not in the interest of the public, but of particular traders.

(12.37.) MR. HOWELL (Bethnal Green, N.E.): I may say, in regard to this matter, that there does not appear to be present at this moment any Member of the Select Committee which sat upstairs to consider this subject. It seems to me that the object of the Bill is to satisfy the desires of someone in Sheffield, but the subject appears to me of such importance that, if dealt with at all, it should be by the Government. I beg, therefore, to move that the Bill be read a second time this day six months.

Amendment proposed, to leave out the word "now," and, at the end of the question, to add the words "upon this day six months."—(*Mr. Howell.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. CHANCE (Kilkenny, S.): I would point out that if the Bill passed in its present form, it would be absolutely ineffective. As the law stands at present, the use of a fictitious name is only forbidden when a fraudulent purpose is manifest. If this Bill is carried the question of fraud disappears, and the use of a fictitious name is forbidden if it is not registered as a trade mark; but if it is so registered, it will be in order. All a person wishing to use a fictitious name will have to do will be to spend £2 in having that name registered.

*(12.39.) MR. HOWARD VINCENT: The hon. Member for Bethnal Green (Mr. Howell) says this matter was considered by the Committee on the Merchandise Marks Act of 1887. A Select Committee, of which I was a member, sat last year to inquire into the operation of that Act since 1887, and the Master Cutler, of Sheffield, in giving evidence, said—

> "I think the Merchandise Marks Act ought to prevent the use of fictitious names unless they are registered. We were under the impression that it would, but it does not do so."

The Deputy Clerk of the Cutlers' Company, in his evidence, dealt strongly with the same point, and showed that the section, as it stands, does not facilitate the identification of fictitiously-marked goods. I would ask the Attorney General if it would not be possible to introduce some Amendment which would meet the cases he raised as to the legitimate use of a trading name.

(12.40.) SIR R. WEBSTER: The question put by the hon. and learned and gallant Gentleman seems to me simply to raise the whole principle involved.

MR. T. M. HEALY: We may take it now as a privilege clearly asserted and vindicated by the Attorney General that men may use names that are not their own.

(12.42.) The House divided:—Ayes 16; Noes 89.—(Div. List, No. 140.)

Main Question, as amended, put and agreed to.

Second Reading put off for six months.

DIVORCE BILL.—(No. 281.)

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. J. R. KELLY (Camberwell, N.): The Bill has never been printed, and I object to proceeding with so important a Bill at this hour of the night. I beg to move the Adjournment of the Debate.

MR. HUNTER (Aberdeen, N.): I would point out that this is a one clause Bill, and that it would be quite as easy to take the discussion on the Committee stage as at present. One point is to enable a divorce to be obtained in case of desertion.

MR. F. S. POWELL (Wigan): I hope the House will not continue a Debate on this important subject at this hour. The Bill has not yet been circulated.

Debate deferred till Friday, 1st May.

DRAINAGE AND IMPROVEMENT OF LAND (IRELAND) BILL.—(No. 66.)

Considered in Committee, and reported, without Amendment; to be read the third time upon Monday next.

It being One of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at One o'clock, till Monday next.

HOUSE OF LORDS,

Monday, 20th April, 1891.

ARMY SCHOOLS BILL.—(No. 83.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE UNDER SECRETARY OF STATE FOR WAR (Earl BROWNLOW): My Lords, the object of this Bill is to place Army schools on the same footing as the public elementary schools, with regard to certain charitable endowments and scholarships. It has the concurrence of the Charity Commissioners, and has already passed the other House. I trust your Lordships will give it a Second Reading.

Bill read 2ª (according to order), and committed to a Committee of the Whole House to-morrow.

PUBLIC BODIES (PROVISIONAL ORDERS) BILL.—(No. 74.)

House in Committee (according to order); Bill reported without Amendment; and re-committed to the Standing Committee.

MIDDLESEX REGISTRY BILL.—(No. 87.)

Read 3ª (according to order), and passed.

ELECTORAL DISABILITIES REMOVAL BILL.—(No. 85.)

House in Committee (according to order).

THE LORD CHANCELLOR: My Lords, as this is a Bill with the details of which I do not think I need trouble your Lordships, I will simply state that it is for the removal of disqualifications of which I believe everybody disapproves. I do not think there are any details in it which your Lordships would consider need be mentioned.

Bill reported without Amendment; Standing Committee negatived; and Bill to be read 3ª to-morrow.

House adjourned at twenty-five minutes
before Five o'clock, till To-morrow,
a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 20th April, 1891.

QUESTIONS.

REDUCTION OF RATES ON INDIAN AND COLONIAL POSTAGE.

MR. SUMMERS (Huddersfield): I beg to ask the Chancellor of the Exchequer what was the estimated loss to the Revenue that was due to the reduction in the rates of the Indian and Colonial postage during that portion of the last financial year during which the reduced rates were in operation?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I believe it was about £25,000.

MR. SUMMERS: I beg to ask the Postmaster General what would be the additional loss to the Revenue if the postage rate to India and the Colonies were reduced from 2½d. to 1d.; and if he can explain to the House the basis on which his estimate is framed?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): Besides a loss of revenue to the extent of £105,000 a year already incurred in reducing to 2½d. the postage on letters to India and the Colonies, it is estimated that an immediate additional loss of £75,000 a year would result from a reduction from 2½d. to 1d. This estimate is based on the amount of correspondence passing between this country and the Colonies, and shown by the latest Returns on official record. It is not, however, practicable to estimate the contingent loss that might result from any considerable increase of correspondence.

MR. SUMMERS: May I ask the right hon. Gentleman whether, in this calculation, he estimates the cost of sending each letter from London to Dover at 1d.?

*MR. RAIKES: The estimate has been based on a comparison from the Revenue derived from a 2½d. postage and a reduction to 1d.

THE EXPEDITION TO MANIPUR.

Mr. WEBSTER (St. Pancras, E.): I beg to ask the Under Secretary of State for India whether he has yet received information as to the alleged statement that the troops employed in the Manipur expedition were at the time of the recent disaster without an adequate or suitable supply of reserve ammunition to fit their rifles; and whether, if he has no knowledge as yet on the subject, he will telegraph to India for such information?

The UNDER SECRETARY of STATE for INDIA (Sir J. Gorst, Chatham): I presume that the hon. Gentleman cannot have received a communication which I forwarded to him this afternoon, asking him to postpone this question until I can receive information from India?

Mr. WEBSTER: No, Sir; I did not receive a communication from the right hon. Gentleman, and, of course, I will defer the question.

Mr. SCHWANN (Manchester, N.): I beg to ask the Under Secretary of State for India whether he has now obtained any official reply as to the truth or falsehood of the rumours which have appeared in the Press, that the Indian troops killed Manipuri women and children in the affair at Manipur, so that, in case the rumour be proved false, it may be categorically denied?

Sir J. GORST: The noble Lord the Secretary of State for India is in possession of official information from Manipur which denies, by implication, the statement contained in the question; but he has thought proper, under the circumstances, to address a special telegram to the Government of India on the subject, and I must ask the hon. Member to postpone his question until the answer to that inquiry has been received.

THE BOMBAY CIVIL SERVICE.

Mr. J. M'CARTHY (Londonderry): I beg to ask the Under Secretary of State for India whether it is true that a grave "block" still exists in the Bombay Civil Service, that nearly one-third of the whole Service is crowded into the four years preceding 1871, and that, although the "block" has been officially acknowledged, nothing has been done by the Government of India, or the Secretary of State, towards removing it; and why have no "blocked" Bombay civilians been employed under the Government of India?

Sir J. GORST: No doubt promotion in the year named in the question of the hon. Gentleman has been slow; but steps have been taken, by the grant of what are called "minimum allowances," to meet cases of exceptional hardship. It is not the case that Bombay men of the years named have not been employed under the Government of India.

THE OPIUM DEBATE.

Mr. MACLEAN (Oldham): I beg to ask the First Lord of the Treasury whether, considering the anxiety caused in India by the Division of Friday night week, and the necessity for letting the Indian Government know what are the real intentions of the House of Commons with regard to the Opium Revenue, he will give a day for the discussion of the Main Question raised in the Resolution of the hon. Baronet the Member for the Barnard Castle Division of Durham (Sir J. Pease), and of the Amendment proposed by the right hon. Baronet the Member for the City of London (Sir R. Fowler)?

*The FIRST LORD of the TREASURY (Mr. W. H. Smith, Strand, Westminster): I regret that the Amendment of the right hon. Baronet the Member for the City of London did not form part of the Main Question raised by the hon. Baronet the Member for the Barnard Castle Division, but I cannot see at present any prospect of being able to find time for a renewal of the discussion in order that a definite decision on the whole question may be arrived at.

*Mr. MACLEAN: In the meantime, will the Government refrain from communicating to the Government of India the imperfect proceedings of the House, or calling upon them to take any action whatever in this matter?

*Mr. W. H. SMITH: I think the hon. Member is well aware of the circumstances and conditions under which the Government of India is conducted. The Government in India is responsible for the financial arrangements of that Empire, and it would be improper if I were to suggest that they will not consider what passes within this House. I have no doubt they will, but they are not, however, responsible to this House. The full and entire responsibility of the Government of India rests with them.

*Sir J. PEASE (Durham, Barnard Castle): Perhaps I may be allowed to say that it is not my intention to ballot in order to place this Motion again as a Substantive Motion before the House. I feel that at this time of the Session it would be inconvenient to the House again to introduce the subject, even if I were so minded. Moreover, I am advised that if I were to do so the Motion of my right hon. Friend the Member for the City of London might be deemed by you, Sir, to be out of order, as it involves a question of handing money by this House over to the Indian Government without a Vote of the Crown. In looking at the matter myself, in the excellent work of Sir Erskine May, it seems to me that the point might arise, although I believe there has been no absolute ruling by you, Sir, in regard to it. On the other hand, I am quite content for the present with the declaration which has been made by the right hon. Gentleman the First Lord of the Treasury, that the policy of Her Majesty's Government has been in the past a steady reduction of the quantity of land in India placed under poppy cultivation, and that that policy will be persevered with in the future. I am also content with the declaration which was made by my right hon. Friend the Under Secretary of State for Foreign Affairs. Under these circumstances, I do not propose to raise the subject again this Session.

Mr. H. ELLIOT (Ayrshire, N.): I beg to ask the First Lord of the Treasury whether, having regard to the conflicting statements made as to the effects produced upon health by the consumption of Indian opium in China and elsewhere, to the confusion which it is alleged exists in the public mind upon this matter, and to the insufficient time which a discussion on a private Member's Motion affords for an exhaustive Debate, he will consent to appoint a Select Committee to inquire into the allegations made on either side, with a view of testing their accuracy, and enabling the House and country to form an instructed judgment as to their worth?

*Mr. W. H. SMITH: I am aware that there have been conflicting statements as to the effects produced upon health by the consumption of Indian opium in China and elsewhere, but I do not think that the appointment of a Select Committee would enable the House to judge of the accuracy or otherwise of the allegations which have been made, as the Committee would not be able to examine Chinese witnesses, and the evidence of those who have merely passed through the fringe of that country would not enable a Committee to form a judgment which would be of very great value.

PAUPER IMMIGRANTS.

Mr. HOWARD VINCENT (Sheffield, Central): I beg to ask the President of the Board of Trade if the Alien Act will continue to be enforced at the 23 ports frequented by poor foreign immigrants, and having regard to the importance of the question and the declaration of the Select Committee of 1889,

> "That they contemplate the possibility of restrictive legislation becoming necessary in the future, in view of the crowded condition of our great towns, the extreme pressure for existence among the poorer part of the population, and the tendency of destitute foreigners to reduce still lower the social and material condition of our poor,"

if the statistics on the subject can be laid upon the Table at least every three months; and if he is in possession of any definite information concerning the ultimate destination of the 13,333 aliens who arrived last year in London by cheap sea routes from Amsterdam, Antwerp, Bremen, Bremerhaven, Gothenburg, Hamburg, and Rotterdam, and declared themselves as not *en route* to America, and particularly concerning the 4,000 arriving by one line trading between Hamburg and Tilbury, of whom the Commissioner of Police of the Metropolis reports "80 per cent. appeared to be quite destitute"?

*The PRESIDENT of the BOARD of TRADE (Sir M. Hicks Beach, Bristol, W.): Yes, Sir; it is intended to continue enforcing the Alien Act at the 23 ports where alien lists are now obtained, and, if any general expression of opinion on the part of Members of this House should reach me to the effect that statistics should be issued quarterly instead of yearly, I shall be prepared to give instructions accordingly. As regards the second paragraph of my hon. Friend's question, I have no further information than what is given in the Report.

IMPORTATION OF WHEAT AND FLOUR.

MR. HOWARD VINCENT: I beg to ask the President of the Board of Agriculture if he can state the quantity of wheat and flour which was produced in the United Kingdom in 1890, compared to 1870 and 1880, and the quantity imported from foreign countries and British Possessions, respectively, in those years; and if the removal of the Customs registration fee of 1s. per quarter upon foreign grain in 1869 had any appreciable effect upon the price of bread, and what revenue it would have produced last year had it still been in force?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): In 1890 the official estimate of wheat and flour produced in the United Kingdom was 9,500,000 qrs., or, roughly speaking, nearly 41,000,000 cwt. In the same year there was imported of wheat and flour from foreign countries, roughly speaking in round numbers, 65,000,000 cwt., and from British Possessions 14,000,000 cwt. There are no official estimates of the production of wheat in Great Britain for the years 1880 and 1870, but calculations have been made by Sir John B. Lawes, and, taking these calculations as the basis for comparison, there was imported in 1880 of wheat and flour from foreign countries, in round numbers, 56,000,000 cwt., and from British Possessions 12,000,000 cwt. In 1870, wheat and flour from foreign countries, 33,000,000 cwt.; from British Possessions, 3,000,000 cwt. There is no official record of the prices of bread in this country, but a Return was ordered by the House of Commons in 1888 of the prices of bread in 12 different unions from the years 1867 to 1887, and it would appear from this Return that no effect can be observed in the price of bread from so small a change in the value of wheat as was caused by the removal of the duty of 1s. in 1869. The duty, which applied to all grain as well as flour and meal, it is estimated, would have yielded a revenue of £2,047,000 if it had been still in force in 1890.

Sir M. Hicks Beach

THE ASSESSMENT COMMITTEE OF ST. JAMES.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the President of the Local Government Board whether he is aware that, notwithstanding that it has been arranged that, in the Parish of St. James, the Assessment Committee shall in future be appointed by the whole of the Vestry, great dissatisfaction exists among the great majority of the ratepayers as to the existing assessments, on the ground that they will remain in force until the year 1895, and that the rate books show that, in nearly every case, the members of the existing Assessment Committee are assessed on more favourable terms than their neighbours; and whether he is willing to receive a deputation of ratepayers, or to direct an inquiry, by an officer of the Local Government Board, into the existing assessments?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): If any ratepayer of the Parish of St. James, Westminster, felt himself aggrieved by the assessment of any property in the parish by the Assessment Committee, he had his remedy by appeal. The Local Government Board have no jurisdiction whatever in the matter, and they have no authority, therefore, to interfere. Under these circumstances, I cannot undertake to receive a deputation or to direct an inquiry by an officer of the Board into the existing assessments of the parish.

SUPERANNUATION FUND FOR SCOTCH SCHOOLMASTERS.

MR. FRASER-MACKINTOSH (Invernessshire): I beg to ask the Lord Advocate whether the desirability of providing a Superannuation Fund for public schoolmasters in Scotland has been considered by him; and, if not, whether he will take action in the matter?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The Scotch Education Department is prepared to give its best attention to any specific proposal for the establishment of a Superannuation Fund which may be submitted on behalf of the teachers; but the Government is not prepared to take the initiative in formulating such a scheme.

POSTAL ARRANGEMENTS IN THE NORTH AND WEST OF SCOTLAND.

Mr. FRASER-MACKINTOSH: I beg to ask the Postmaster General whether, in view of the dissatisfaction with the present service in the North of Skye, he will, in the contemplated postal re-arrangements betwixt Portree and Lochmaddy, provide that the mail steamers should call at Staffin and Kilmaluig?

*Mr. RAIKES: I am glad to have anticipated the hon. Member's request in this respect. The mail steamer which is to be established on the 1st proximo between Portree, Lochmaddy, and Dunvegan will call at Staffin and Kilmaluig.

POSTAL FACILITIES IN THE NORTH AND WEST OF SCOTLAND

Dr. M'DONALD (Ross and Cromarty): I beg to ask the Postmaster General whether it is his intention to ask for public tenders for the conveyance of mails by sea in connection with the increased and improved postal facilities in the North and West of Scotland, which have been lately promised by the Government; and, if not, why not; whether he is aware that, in the Report of the West Highlands and Islands Commission, it has been strongly recommended that existing routes should not be interfered with prejudicially by subsidised steamers; and does he intend to act on this recommendation?

Colonel MALCOLM (Argyllshire): I also beg to ask the Postmaster General whether, in making the arrangements for the improved postal service in the West Highlands and Islands he has kept in view Clause 51, under the heading (b) steamers, of the Report of the Commission, together with the instruction of the Secretary for Scotland to the said Commission; and whether, in consideration of these statements, he will take care that the contracts be submitted to public tender?

*Mr. RAIKES: In reply to these questions, I have to say that the recommendations of the Highlands Commission have not been lost sight of. Her Majesty's Government, being desirous of offering at once at least some of the increased postal facilities recommended by the Commission, have made temporary arrangements with the present contractor for new and improved services as an experiment. When sufficient experience has been acquired of the actual needs of the districts in question, the services will be thrown open to public competition in the usual way. No other course could have been followed without delaying the improvements until next year.

POSTAL ARRANGEMENTS IN LANCASHIRE.

Mr. HOYLE (Lancashire, S.E., Heywood): I beg to ask the Postmaster General if information has reached him that an important letter, posted in Manchester on Thursday, 29th January, was not delivered at its destination, Bradley Fold, Ainsworth (within 15 miles of Manchester), until 8.45 on the morning of Saturday, the 31st January, and is he aware that great irregularity still continues in the time of delivery of letters there; whether complaints have reached him of the present arrangements under which there is only one daily delivery of letters at Bradley Fold, and that there is no pillar or other post office letter box in the village for the reception of letters; and whether he can remedy the grievance complained of?

*Mr. RAIKES: I am informed that the delay of the letter referred to by the hon. Member was accidental and in some measure due to the address not being accurate. There does not appear to have been any general irregularity. At present there is only one delivery in the day at Bradley Fold, but arrangements are in progress for affording two deliveries, and it is also in contemplation to establish a letter box at the railway station, from which collections will be made morning and evening.

THREATENED TROUBLES IN SOUTH AFRICA.

Dr. FARQUHARSON (Aberdeenshire, W.): I beg to ask the Under Secretary of State for the Colonies whether, having regard to the opinions expressed by Sir Sydney Shippard, Administrator of British Bechuanaland, in his Report to the Governor and High Commissioner, dated 30th September, 1890, that we are threatened with serious troubles on the Western border of Gordenia; that there are signs of restlessness amongst the natives in the Protectorate; that we are holding vast territories with a very small force, it is the intention of the Government to give effect to his recommendation that the present force of border police should be increased by at least 50 men and officers for the Crown Colony, and by 50 men, with six Maxim guns, for the Protectorate, as soon as possible?

THE SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): Full consideration was given to Sir S. Shippard's opinion, and in the Estimates for the current year provision has been made for an increase of the police force by 25 men and 1 officer, making its total authorised strength 469 officers and men. This force costs £104,000 per annum, out of a total expenditure of the Bechuanaland Government of £164,797, involving this year a grant-in-aid from Imperial funds of £119,700. Her Majesty's Government trust that there may be no immediate necessity for a further increase of the Government police.

ASSISTED EMIGRATION FOR CROFTERS.

MR. WATT (Glasgow, Camlachie): I beg to ask the Lord Advocate whether the Secretary of State has been in communication with the Government of Canada, or other British Colonial Governments, so as to conclude the best possible arrangement of assisted emigration and land grants on behalf of the crofters of Scotland requiring to be emigrated?

*MR. J. P. B. ROBERTSON: The consideration of all proposals for State-aided emigration from the congested districts of Scotland was postponed by the Government till they had before them the Report of the Select Committee on Colonisation. That Committee has lately issued its Report, and the Government have now under consideration the recommendation which it contains.

CIVIL SERVICE WRITERS.

MR. TUITE (Westmeath, N.): I beg to ask the Secretary to the Treasury whether, in those cases where writers have been for many years employed upon work above copying and heads of Departments are unwilling to take the initiative in recommending such writers for promotion to the new class of abstractors, the Treasury would make some definite statement or rule for such cases, so that men, thus employed, may not suffer loss of promotion and permanency through unwillingness or refusal of their chiefs to take action in their behalf?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): No, Sir; I do not see any reason for any further statement by the Treasury on this subject. As I stated on the 5th of February, in reply to the hon. Member, Clause 29 of the Treasury Minute of the 10th of August, 1889, appears to me to be sufficiently precise. It should be obvious, I think, that it is not the function of the Treasury to suggest increase of expenditure for which heads of Departments see no justification.

THE CENSUS IN WALES.

MR. BRYN ROBERTS (Carnarvonshire, Eifion): I beg to ask the President of the Local Government Board whether the great majority of the Census papers distributed in Llithfaen, South Carnarvonshire, were in English without the language column; and, if so, will he cause a fresh Census to be taken in that village?

*MR. RITCHIE: The village of Llithfaen forms part of the Nevin registration sub-district. 1,300 schedules in the Welsh language and 200 in the English language were distributed from the Census Office for this district. By an error of the packer, the 200 English schedules which were sent did not contain the extra column for "Language spoken." It appears that only about one-half of these 200 schedules were distributed in the entire registration district. Steps will be taken to obtain the desired information in all cases in which the defective schedules were distributed.

MR. LLOYD-GEORGE (Carnarvon, &c.): I beg to ask the President of the Local Government Board whether he is aware that in the Census forms distributed at Nevin, Carnarvonshire, the language column was omitted; and whether he will take steps to remedy the omission?

*MR. RITCHIE: Nevin is in the same registration sub-district as the village of Llithfaen, to which I have already referred. The same explanation applies in this case also. Only about 20 English schedules were distributed in the parish.

COMPULSORY RETIREMENT.

Mr. KELLY (Camberwell, N.): I beg to ask the Chancellor of the Exchequer whether any, and, if so, what steps have been taken to enforce that portion of Clause 10 of the Order in Council of 15th August, 1890, which provides that "Retirement shall be compulsory for every officer on attaining the age of 65 years;" whether certain provisions of that Order have been regarded as taking effect from the date thereof; whether the Lords of the Treasury have power by Minute or otherwise, and, if so, under what authority, to modify the effect, or fix or vary the date at which an Order in Council, or any part thereof, may come into operation; and whether all salaries paid to officers over 65 years of age since the date of the Order in Council of 15th August, 1890, have been disallowed by the Comptroller and Auditor General; and, if not, why not?

Mr. GOSCHEN: No date being named in the Order in Council of August 15, 1890, the Treasury fixed a date for retirements taking place under the provisions of the Order. Some provisions of the Order have taken effect from the passing of the Order. The Treasury have no power, so far as I know, to vary the provisions of an Order in Council. In this case it was impossible that the provisions should take effect at the passing of the Order, and, no other date being mentioned, the Treasury named a date which they considered most convenient for the Public Service. The Comptroller and Auditor General does not disallow expenditure, but reports for disallowance, and he reports not to the Government, but to the House of Commons. His Report on the account in question has not yet been laid before the House of Commons.

NORTH AUSTRALIA.

Mr. WATT: I beg to ask the Under Secretary of State for the Colonies whether he can state how many years it is since a Governor of South Australia visited the Northern territory; whether he can state the total mileage of the Transcontinental Railway (at both ends) now open for traffic; whether there is any proposition, in case the Australian Commonwealth is established, of completing the line under its guarantee; and whether he can now give any information as to the proposed visit of the Governor, Lord Kintore, having regard to the depressed condition of all the industries in the territory?

Baron H. de WORMS: The Northern territory has never been visited by the Governor of the colony. The total mileage of the Transcontinental Railway now open for traffic is 884 miles, being 736 from the Southern terminus and 148 from the Northern. No proposal of the kind referred to for completing the line has been brought before the notice of the Secretary of State. Lord Kintore will, no doubt, investigate the state of industries in the Northern territory, which he is understood to have reached on the 1st of this month.

AUSTRALIAN FEDERATION CONVENTION.

Mr. BUCHANAN (Edinburgh, W.): I beg to ask the Under Secretary of State for the Colonies whether Papers will shortly be issued containing a Record of the Proceedings and Debates of the recent Australian Federation Convention?

Baron H. de WORMS: Her Majesty's Government have, as yet, received only the first two numbers of the official Reports of the Convention Debates, but see no objection to presenting the Papers to Parliament when complete.

SOUTH AFRICA COMPANY.

Mr. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for the Colonies whether he is aware that a Chartered Company is not under the obligation to make Returns to Somerset House in regard to the Act of its shareholders and other matters connected with it, which are obligatory on all Limited Liability Companies not being Chartered Companies; whether, in view of this fact, and that by the 25th Article of the Charter of the South Africa Company it is stated that—

> "Within one year after the date of this Our Charter, or such extended period as may be certified by Our Secretary of State, there shall be executed by the Members of the Company for the time being a Deed of Settlement providing, so far as is necessary for,"

amongst other things—

> "The regulation of Members of the Company, and the transfer of shares in the capital of the Company; the division and distribution of profits,"

he will cause such a Deed of Settlement to be executed, and lay it, when executed, upon the Table of the House, in order that the public may have the same opportunity to know matters in connection with the transfer of shares in this Company, and with the division and distribution of profits which are available in respect to companies that are not chartered; and whether, in connection with this Return, he will see that it is fully set forth, and that, whilst the Company has to pay all costs and expenditure in regard to carrying out the objects of the concession from Lobengula, one-half of the profits (if any) are retained by the Promoters of the Company, should it appear that this is the case?

BARON H. DE WORMS: I believe that the hon. Member is right in supposing that a company under Royal Charter is not subject to all the obligations of an ordinary Registered Company. The Deed of Settlement of the British South Africa Company was executed on the 3rd February last. It is not thought worth while to print it as a Parliamentary Paper, but any hon. Member can see it at the Colonial Office, or at the Company's Office, or be supplied with a copy. Her Majesty's Government have been advised that they ought not to assume any responsibility for the financial arrangements or the internal organisation of the Company, such as is suggested in the last paragraph of the question.

MR. LABOUCHERE: I beg to ask the Under Secretary of State for the Colonies whether an Imperial Proclamation has been published in the *Gazette* of the Cape Colony, declaring that any attempt to occupy Banyailand, or to establish autonomous government in that country, will be regarded as an infringement of the rights of the British South Africa Company, and an aggression against British suzerainty, and will be resisted; whether it is to be understood that no British subject is to to be allowed in Banyailand without the permission of the British South Africa Company; and, if so, from whence this

exclusive right of the Company to occupy this territory is derived; whether he can state how many British subjects there are now in Banyailand, and what is the area of that country; whether he is aware that persons wishing to pass through Mashonaland in order to go northwards are impeded by agents of the South Africa Company; whether he is aware that the Company does not permit any of Her Majesty's subjects to trade in Mashonaland, and that the monopoly of opening stores has been granted to two Kimberley firms, notwithstanding that it is set forth in the Charter granted to the Company, that it is conferred upon it because it will tend—

> "To the opening up of the said territories to the immigration of Europeans, and to the lawful trade and commerce of Her Majesty's subjects and of other nations,"

and that it is stated in the 20th Paragraph of the said Charter that—

> "Nothing in this Our Charter shall be deemed to authorise the Company to set up or grant any monopoly in trade;"

whether he is aware that the concession from Lobengula in regard to which the Charter was granted is only a concession granting mining rights to the Company, and that it conferred on it no land, and that promises are being held out by advertisements of the Company in the South African newspapers offering to intending settlers land in Mashonaland (which forms part of the territory included in the mining concession of Lobengula); and whether, in order to prevent Her Majesty's subjects from being deluded into going into Mashonaland by the promise of grants of land from the Company, Her Majesty's Government will take steps to make it known that the Company can make no grants of land, as it has no land to grant?

BARON H. DE WORMS: The High Commissioner reported on the 7th inst. that he was about to issue a Proclamation respecting Banyailand; but Her Majesty's Government have not yet received the text of it. As regards the second question, Her Majesty's Government do not understand that there is any such prohibition. I am not at present able to answer the third question. In reply to the fourth question, we are not aware of any such proceedings. The hon. Member has probably been misinformed. As regards the fifth question, Her Majesty's Government have not been so informed. Any British subject feeling himself aggrieved has every opportunity of stating his complaints to the High Commissioner or to the Secretary of State. As regards the sixth question, the concession (see page 139 of P.P. [C. 5918]) is not merely a grant of mining rights. Her Majesty's Government are not aware that the company has offered land in Mashonaland to settlers, unless conditionally upon it being able to confer titles. In reply to the last question, Her Majesty's Government do not think it desirable to issue any notice, believing that the position of the company in Mashonaland is fully understood, both in this country and in South Africa.

Mr. LABOUCHERE: Will the right hon. Gentleman say from whom he obtained his information with regard to what is going on in that part of the world?

Baron H. de WORMS: The Colonial Office derives official information from the usual sources.

PUBLIC HOUSE LICENCES.

Mr. KELLY: I beg to ask the Secretary of State for the Home Department whether his attention has been called to the published reports of a case heard on the 9th instant, at the West Bromwich Police Court, in which the applicant for the transfer of the licence of a fully-licensed house at Lyndon was a brewer at Birmingham, who admittedly intended to put a manager into the house, and in which the Magistrates' clerk stated that the name of the holder of the licence was "given as John Cotterill, who had been dead several years," and that he had

> "Received a letter from the Home Secretary that morning requesting that they" (the Justices) "should be very careful about the ownership of licensed houses;"

and in such report it was further stated that upon the refusal of the Justices to grant the transfer of the licence, the solicitor who appeared for the applicant gave notice on his client's behalf that he should again apply for a transfer of the licence, granted in the name of the person who had been dead many years, to the manager of the brewer; whether the report is accurate in so far as the statement of the clerk to the Magistrates that he had received a letter from the Home Office, with reference to the duty of Justices, to make full inquiry as to the real ownership of houses when dealing with the transfers of licences is concerned; and, if so, whether a similar letter has already been sent, or is intended to be sent, to all clerks of Justices; whether, if such letter has been sent from the Home Office, he would be willing to state the precise terms thereof; and whether he can state if the circumstances, as to the renewal of the licence in question for several years in the name of a deceased person, are altogether exceptional; and if they are not, what steps, if any, he would propose to take to put an end to the renewal of licences in all such cases?

The SECRETARY of STATE for the HOME DEPARTMENT (Mr. Matthews, Birmingham, E.): I have not seen the published report of the West Bromwich case; but it is the fact that I have recently issued a Circular Letter to the Licensing Justices of every Petty Sessional Division, calling their attention to the fact that there was reason to believe that in many cases the register prescribed by Section 35 of the Licensing Act, 1872, incorrectly states the name of the owner of the licensed premises, and asking them to take steps to rectify, if necessary, the existing register, and to secure the due observance of the statute in future. I shall be happy to show the Circular to my hon. Friend. I cannot think that the facts referred to as to the renewal of a licence in the name of a deceased person during a long period of time, if accurately stated, can be otherwise than exceptional, but I have asked for a full Report as to all the circumstances of this case, and I will then consider what action, if any, it may be necessary to take in the matter.

Mr. J. WILSON (Durham, Mid.): May I ask the right hon. Gentleman whether he will be willing to give the letter as a Parliamentary Paper?

Mr. MATTHEWS: I do not think it would be worth while to give as a Parliamentary Paper a Circular Letter which any hon. Member may see.

Mr. SUMMERS: Will it be possible for the right hon. Gentleman to give a correct Return of the real owners of licensed houses?

Mr. MATTHEWS: Yes, Sir; if I can get the materials. That is the object of my letter.

HONOURABLE ARTILLERY COMPANY.

Mr. CAUSTON (Southwark, W.): I beg to ask the Secretary of State for War whether the statement in the *Standard* newspaper, of the 10th instant, is well-founded, namely, that the Secretary for War has approved of the allowances given to Artillery Volunteer Corps being extended to the artillery portion of the Honourable Artillery Company; and the issue will be made shortly on account of those members of the horse and field batteries who were returned as efficients on the 31st of last October; whether it is contrary to the provisions of the Volunteer Act to make this grant; and, if so, upon what authority it is made; and whether the Honourable Artillery Company has asked for this allowance?

*The SECRETARY of STATE for WAR (Mr. E. Stanhope, Lincolnshire, Horncastle): The allowances given to Artillery Volunteer Corps have been extended to the artillery portion of the Honourable Artillery Company under the special regulations of that regiment, and at the request of its Colonel, who accepts, as regards its artillery portion, as a condition of this grant all the liabilities which fall upon other corps under the Volunteer Act.

Colonel LAURIE (Bath): May I ask whether the Honourable Artillery Company are enrolled in accordance with the provisions of the Volunteer Act, and under what Vote the money will come?

*Mr. E. STANHOPE: They are not enrolled; but they have accepted the full responsibilities of Volunteers, and the money, therefore, will be voted under the Volunteer Vote

Mr. CAUSTON: Is there not a clause in the Volunteer Act providing that nothing in this Act shall apply to the Honourable Artillery Company?

*Mr. E. STANHOPE: If the hon. Member wishes I will look further into the matter; but, for my part, I do not see how there can be any objection to extending to the Honourable Artillery Company the advantages enjoyed by other Volunteers if they accept the same conditions.

MEDICAL PRACTICE IN FRANCE.

Dr. TANNER (Cork Co., Mid): I beg to ask the Under Secretary of State for Foreign Affairs whether, under the provisions of the recent Medical Law enacted by the French Government, no British medical man will be permitted to practise in France without having obtained the diploma of Doctor of Medicine in one of the State Faculties, except when a special dispensation is granted by the Minister of State; and whether French medical men are permitted to practise their profession in England?

The UNDER SECRETARY of STATE for FOREIGN AFFAIRS (Sir J. Fergusson, Manchester, N.E.): We are not aware in what form the Bill in question has passed the French Legislature, or if it has passed; but inquiry is being made. French and other foreign medical men are free to practise their profession in this country, subject to certain disabilities, unless they are registered under the Medical Act of 1886; but the provisions of that Act in this respect do not take effect, unless the country to which they belong has conceded reciprocal privileges.

STANDARD OF HALF-TIME.

Mr. SUMMERS: I beg to ask the Vice President of the Committee of Council on Education if he can state the number of School Boards and School Attendance Committees in England and Wales in which the Standard of half-time exemption, fixed by the bye-laws, is as low as Standard II. and Standard III. respectively, and the number of School Boards and School Attendance Committees in which the standard of full-time exemption, fixed by the bye-laws, is lower than Standard VI?

The VICE PRESIDENT of the COUNCIL (Sir William Hart Dyke, Kent, Dartford): The information will take a little time to prepare; but I shall be happy to furnish it, if, in the meantime, the hon. Member will put his request on the Notice Paper in the form of a Parliamentary Return, which, I would suggest, might usefully show the number of cases in which the standard of full-time exemption is now either the IVth or the Vth., rather than those where it is lower than the VIth.

ARMY MEDICAL OFFICERS.

MR. BARTLEY (Islington, N.): I beg to ask the Secretary of State for War whether he proposes to grant to Army Medical Officers the composite titles suggested by Lord Camperdown's Committee?

*MR. E. STANHOPE: I am quite ready to recommend to Her Majesty the grant of composite military and medical titles if such a concession meets the wishes of officers of the Army Medical Staff; but I am met with the difficulty that this concession, although asked for in Sir Andrew Clark's letter of January 17 last, appears to be repudiated in his later letter of March 7. These officers, I should state, have not approached me or His Royal Highness the Commander-in-Chief through any recognised official channel, but I assume that Sir Andrew Clark is expressing their opinion on the subject.

DR. FARQUHARSON: Will the right hon. Gentleman bring on the Army Estimates sufficiently early to ensure a proper discussion on the matter?

*MR. E. STANHOPE: I am afraid that it will not be in my power to prescribe when the Estimates shall be brought on.

REMOVING CATTLE WITHOUT A LICENCE.

MR. MARK J. STEWART (Kirkcudbrightshire): I beg to ask the President of the Board of Agriculture if he is aware that last month the fine of 19s., including expenses, was imposed at a Justice of the Peace Court in Elgin on John Taylor, son of a butcher, who pleaded guilty for having on the 16th February last moved from Rothienorman Railway Station, in a scheduled district, four cattle from Rothes without a movement licence from the Local Authority; whether the Board of Agriculture has taken any notice of the sentence; and whether, having regard to the large gains which may arise through contravention of the Orders in Council, it is his intention to take any steps, by legislation or otherwise, to secure the infliction of more severe penalties for such offences, and thus deter dealers, butchers, and others in the cattle trade from spreading infection through the country?

MR. CHAPLIN: The only information which I have upon this subject is that which is contained in the public Press, from which it appears that at a Court in Elgin on March 30, Bailie Grant, General Duff, and Dr. Webster on the Bench, John Taylor was charged with having, on February 16, moved from Rothienorman Railway Station, in a scheduled district, four cattle to Rothes without having a movement licence from the Local Authority of the County of Elgin. He pleaded guilty, and the Justices imposed a modified penalty of 19s. and costs, the maximum penalty under the Act being £20. It is not for me to criticise the action of the Bench, and, indeed, I know nothing of the circumstances; but it is obvious that if penalties of this trifling amount were usually imposed it would render it impossible to enforce the Act.

PLEURO-PNEUMONIA.

MR. BARCLAY (Forfarshire): I beg to ask the President of the Board of Agriculture whether pleuro-pneumonia has been detected in the lungs of an animal from the United States of America, recently slaughtered at Deptford; and whether the Veterinary Inspector sent by the Government of the United States was made aware of the discovery, and agreed that the lungs were so diseased; and if he will give the port of shipment?

MR. CHAPLIN: Pleuro-pneumonia has been detected in the lungs of two animals which arrived on the steamship *Parkmore* from Baltimore, and were landed at Deptford on the 7th of this month. The Veterinary Inspector sent by the United States has been made aware of the discovery; but I am informed that he has expressed no decided opinion at present, and has sent a portion of the lungs to America for further examination. I may add that in the opinion of the experts of the Board of Agriculture there is not the slightest doubt as to the character of the disease, which is precisely the same as that which we are endeavouring to extirpate in the United Kingdom at present.

UNITED STATES AND BRAZIL COMMERCIAL TREATY.

MR. OCTAVIUS V. MORGAN (Battersea): I beg to ask the Under Secretary of State for Foreign Affairs whether he will state the present condition of the proposed Commercial Treaty between the Republics of the United States of North America and Brazil?

SIR J. FERGUSSON: It has been in operation since the 1st of this month.

SECOND DIVISION CLERKS.

MR. KELLY: I beg to ask the Secretary to the Treasury whether Second Division clerks in the Home Office are paid for overtime at the uniform rate of 1s. 6d. per hour; and, if so, whether he will state the terms of the Treasury Minute under which such remuneration was granted; and whether he will take the necessary steps to secure uniformity of pay for overtime throughout the Public Service so far as the Second Division clerks are concerned?

MR. JACKSON: One shilling and sixpence per hour is the general rate allowed by the Treasury for Second Division clerks' overtime. There is no general Treasury Minute laying down this rule. It is, however, well known throughout the Service, and I understand that the Comptroller and Auditor General queries any payment above the recognised rate. In these circumstances, it is unnecessary for me to circulate any new rule.

THE POTATO DISEASE.

DR. CAMERON (Glasgow, College): I beg to ask the President of the Board of Agriculture whether his attention has been called to a Report recently published by the French Government as to the success attending the use of a solution of sulphate of copper for the prevention and cure of potato disease, and the Report of M. Petermann, Director of the Station Agronomic de l'Etat at Gemblons, Belgium, on the use of sulphates of copper and iron for the same purpose; and whether, considering the great importance of the subject to potato growers in this country, he will take steps to publish the substance of these Reports in a form accessible to British agriculturists?

MR. CHAPLIN: The Reports on the experiments conducted by M. Aimé Girard in France upon the use of sulphate of copper in the prevention or cure of potato disease during 1888 and 1889, to which attention has recently been drawn, were under the consideration of the Board of Agriculture last summer. A translation of these Reports was forwarded to the Irish Government, by whom, I understand, valuable experiments have been tried in various parts of Ireland, which are to be repeated on a larger scale this year. Since then we have received, within the last few days, information as to the further experiments conducted by M. Girard with sulphate of copper in 1890, and we have also received M. Petermann's Report of his similar experiments in Belgium. As soon as we have the French Report for 1890 complete it is proposed to issue a leaflet embodying the results of these Reports for the information of British agriculturists.

SALMON FISHERY ACTS.

MR. MACARTNEY (Antrim, S.): I beg to ask the President of the Board of Trade what are the Salmon Fishery Acts and the sections thereof relating to the placing of gratings in watercourses, millraces, or other channels for conveying water for working mills; and whether there are any special provisions relating to mills worked by turbines; and, if so, if he will state the Acts and sections containing these special provisions?

*SIR M. HICKS BEACH: The sections of the Salmon Fishery Acts which relate to the placing of gratings in watercourses are the 13th section of the Salmon Fishery Act, 1861, and the 54th, 58th, 59th, 60th, and 61st sections of the Salmon Fishery Act, 1873. These Acts apply almost exclusively to England and Wales. There are no provisions for distinguishing one description of milling machinery from another.

THE CASE OF MRS. JACKSON.

MR. COBB: I beg to ask the Attorney General whether, having regard to the recent decision in the case of Mr. and Mrs. Jackson, and to the effect which that decision has had upon subsequent decisions and statements, as to the present state of the Law of Divorce, of

Judges of the High Court of Justice and inferior Courts, the Government are prepared to bring in at once a short Bill assimilating the English to the Scotch Law, by providing that desertion for a certain number of years shall give a right of divorce to the husband or wife, and that a wife shall have the same right as a husband now has of obtaining a divorce on the ground of adultery only; and whether, in the alternative, the Government will afford facilities for the early Second Reading of the Bill introduced by the hon. and learned Member for Aberdeen, and other hon. Members for a similar assimilation of the law?

The ATTORNEY GENERAL (Sir R. Webster, Isle of Wight): The decision of the Court of Appeal in the case of Mrs. Jackson did not, in the opinion of the learned Judges who pronounced it, make any alteration in the law, but only declared the law. Under these circumstances, no attention should be paid to any statements made without judicial authority. Her Majesty's Government do not propose to introduce any Bill proposing any change in the law. The last paragraph of the hon. Member's question should be addressed to my right hon. Friend the First Lord of the Treasury; but I think I may say that it will not be possible to give facilities for the Bill of the hon. and learned Member for Aberdeen.

***Mr. COBB**: May I point out that it is not the *dictum* of Magistrates, but one of the Judges of the High Court—Mr. Justice Jeune?

Sir R. WEBSTER: I think the hon. Member has quite misunderstood Mr. Justice Jeune. His remarks were addressed to a particular case, and had no reference to any alteration of the law consequent on the decision in the Jackson case.

IMPROVED STEAM COMMUNICATION IN THE NORTH OF SCOTLAND.

Dr. M'DONALD: I beg to ask the First Lord of the Treasury whether, in his arrangements for new and improved steamer communications in the Western Isles and North of Scotland, he has acted on the statement in the Report of the *last West Highlands and Islands Commission, which states—

> "It is, however, so doubtful whether the institution of new routes of steamers would not interfere with existing routes, and it is so clear that Government would not be justified in subsidising one steamer if it had the effect of stopping another, that great care will be required in giving effect to this recommendation; and every effort should be made to secure the co-operation of the Carrying Companies now engaged in the West Coast Trade;"

and if some of such competing companies have been so conferred with, why not all?

***Mr. W. H. SMITH**: The Government would much regret if new steamer services on the West Coast of Scotland should have the effect of inflicting any permanent injury on persons now engaged in the carrying trade in that district, and they will be glad to consider any representations or suggestions on the subject that may be made to them. The arrangement which will come into force on the 1st of next month is of a provisional character only, and it is open to any modification which may hereafter be found desirable. It is hoped that in the course of next year it may be found practicable to invite tenders from parties who may be willing to undertake the whole or any part of the services; but, as it was important to start the new services at once, this course could not be adopted at the present moment.

THE LABOUR COMMISSION.

Mr. NORRIS (Tower Hamlets, Limehouse): I beg to ask the First Lord of the Treasury if it is by intention or mistake that, whereas the dock labourers are directly represented on the Labour Commission by one of their leaders, the great Dock Companies and Wharves of London, who control property of immense value and employ nearly 100,000 men daily, are not represented on the Commission; and whether he will consider the advisability of such a nomination?

***Mr. W. H. SMITH**: I am quite aware that no representative of the Dock Companies has been placed on the Labour Commission; but I am confident that their interests will be fully looked after by the members of the Commission. It was impossible for the Government to place on the Commission representatives of all the interests which were concerned in the inquiry.

***Mr. NORRIS**: May I ask whether there will not be a representative of the shipping interest of London?

*Mr. W. H. SMITH: It is impossible to place upon this Commission representatives of every interest in every locality. If we had attempted anything of the sort the Commission would have become a Congress, and it would be impossible to expect a satisfactory result. Any hope, indeed, of such a result would have been compromised if we had done as my hon. Friend suggests.

*Mr. COBB: I beg to ask the First Lord of the Treasury whether the only reason which the Government had for not recommending to Her Majesty the name of Mr. Michael Davitt as a member of the Royal Commission on Labour was that he was a Republican; whether he can give specific references to speeches or writings of Mr. Davitt showing that he holds Republican opinions; whether there is any precedent of an appointment by Her Majesty of any person holding Republican opinions upon a Royal Commission, or as a Member of Her Majesty's Government; and whether the Government will re-consider their decision, with a view of still recommending Her Majesty to appoint Mr. Davitt a member of the Commission?

Colonel SAUNDERSON (Armagh, N.): Before my right hon. Friend answers that question, may I ask him whether it is not the case that Mr. Michael Davitt was tried, convicted, and sentenced to a term of penal servitude for felony?

*Mr. W. H. SMITH: I will answer the question of the hon. Member for the Rugby Division first. I am not aware whether the hon. Member has any authority for the allegations contained in his question. All the communications which passed with reference to Mr. Michael Davitt were confidential. The evidence given by Mr. Michael Davitt before the Special Commission, and the recitals and the judgment of the Commission with regard to him were carefully considered by Her Majesty's Government, and they did not think, with those facts before them, that Mr. Davitt was qualified for appointment to the Labour Commission. In reply to my hon. and gallant Friend, I may say that I believe Mr. Davitt was tried and sentenced for treason felony.

*Mr. COBB: With respect to the query put to me by the right hon. Gentleman, I may say that the question has been altered since I put it down on the Paper. I asked him whether——

*Mr. SPEAKER: Order, order! I struck the words out myself, and for this reason. The hon. Gentleman proposed to ask, "Whether it was true, as stated." That is a form which is sometimes adopted by hon. Members; but I think the responsibility attaches to an hon. Member when he puts a question that he should not simply take up a rumour, but should assume the responsibility, and ask whether or not a certain fact is true.

*Mr. COBB: Perhaps I may be in order, as the right hon. Gentleman has raised the question, in saying that I saw the statement in one of the morning papers—I believe it was the *Standard*, but I am not sure. I trust the right hon. Gentleman will allow me to ask him this — whether, to avoid misapprehension, he will say whether any of the proceedings before the Special Commission influenced the Government in refusing to recommend Mr. Michael Davitt as a member of the Commission?

*Mr. W. H. SMITH: I have answered the question upon the Paper.

Dr. TANNER: May I ask whether the House is to understand from the right hon. Gentleman that Mr. Davitt, having served his term of penal servitude for treason felony, is to be subject to future disqualification?

*Mr. SPEAKER: Order, order!

THE WEST HIGHLANDS AND ISLANDS.

Mr. FRASER-MACKINTOSH: I beg to ask the First Lord of the Treasury whether, in view of the importance and urgency of the Government proposals with reference to the West Highlands and Islands, he will give an opportunity for their discussion prior to the Whitsuntide Recess?

*Mr. W. H. SMITH: The Government are doing all they can to meet the necessities disclosed by the inquiry held by the Highlands and Islands Commission; but I am unable to give a pledge that the Estimates to carry out our proposals will come up for discussion before Whitsuntide. I hope, however, it may be possible to meet the wishes of the hon. Gentleman in this respect.

SCIENCE SCHOOLS AND MUSEUMS, &c.

Sir H. ROSCOE (Manchester, S.): I beg to ask the First Lord of the Treasury whether he will have sketch plans prepared and placed in the Library, showing the relative positions of the existing Science Schools and Science Museums, the proposed buildings for the same purposes, and the proposed Gallery of Modern Art, on the land at South Kensington?

Mr. GOSCHEN: Perhaps I may be allowed to answer the question. As no definite scheme has yet been framed, it would be impossible to show exactly the appropriation of land now vacant; but I can promise the hon. Member a ground plan showing what land is available for further science buildings.

Sir H. ROSCOE: May I ask the right hon. Gentleman whether he will give an assurance that the final step will not be taken in the appropriation of the land until after hon. Members have had some opportunity of inspecting the plan?

Mr. GOSCHEN: The position of the matter is this. The House knows of the very generous offer that has been made of £80,000 to erect a building. A great deal of necessary and unavoidable delay has taken place, and I think it would be unwise to risk the failure of that generous gift by any further delay. Therefore, I am unwilling to pledge myself to any further delay; but I can assure my hon. Friend that every security will be given to gentlemen interested in science that their wishes shall be met as far as possible.

MR. DE COBAIN.

Colonel SAUNDERSON: I beg to ask the First Lord of the Treasury whether he is aware that a warrant has been issued against Mr. De Cobain, Member for East Belfast, for a serious crime; whether it is a fact that Mr. De Cobain has communicated with persons in this country admitting his cognisance of the charge made against him; whether Mr. De Cobain has made any communication announcing his intention of meeting the charge made against him; and whether, should Mr. De Cobain continue to remain outside the jurisdiction of this country, he will take the sense of the House on the conduct of Mr. De Cobain?

*Mr. W. H. SMITH: I am aware that a warrant has been issued against Mr. De Cobain. I am not aware that he has communicated with persons in this country as to his cognisance of the charge made against him, or as to his intention of meeting that charge. Should Mr. De Cobain continue to remain outside the jurisdiction of this country, it will have to be seriously considered whether the same procedure should not be followed as in the Sadleir case; but the House was on that occasion of opinion that a proper interval of time should elapse after the issue of the warrant for arrest before the proceedings were taken which led to expulsion.

Mr. T. M. HEALY: I beg to give notice that if any attempt of this sort is made I shall move that, as Mr. De Cobain is Grand Master of the Orange Lodge, a Special Commission shall be appointed. [*Cries of* "Order!"]

Colonel SAUNDERSON: He is not Grand Master.

Mr. T. M. HEALY: Well, Past Grand Master. ["Order!"] I would ask whether any of the accessories to the crime have been convicted?

*Mr. W. H. SMITH: I have no information beyond that which I have communicated to the House.

Mr. T. M. HEALY: Then I will address the question to the Chief Secretary.

The CHIEF SECRETARY for IRELAND (Mr. A. J. Balfour, Manchester, E.): I have nothing whatever to do with the matter, and take no interest in it.

Mr. T. M. HEALY: I will put a question to the Attorney General for Ireland to-morrow.

THE COMMISSIONERS OF INTERMEDIATE EDUCATION.

Colonel WARING (Down, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the Commissioners of Intermediate Education refuse to accept as evidence of the age of candidates, certified extracts from the parochial registries of the Church of Ireland, recording the dates of birth and baptism; and whether they are authorised thus to reject evidence which is regarded as sufficient in the Courts of Law, and in the various Departments of the Public Service?

Mr. A. J. BALFOUR: The Assistant Commissioners of Intermediate Education report that candidates are required to produce as evidence of age a certified extract from a public registry of births. As this evidence exists under statute since 1864 and is readily obtainable, the Commissioners are of opinion that it is the most advisable to adopt as a uniform standard.

ILLITERATE IRISH VOTERS.

Mr. WEBSTER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that at the recent North Sligo election, owing to a large number of illiterate voters presenting themselves at one time at one polling station, the forms for illiterate votes ran short, and in consequence that polling booth had to be closed for a considerable period, and also that, when many of the voters presented themselves to vote as illiterates, long discussions arose between the personation agents of the two candidates as to whether the several claims to vote as illiterates were *bonâ fide* ones or not, and in consequence great delay arose; were any persons who had not taken the oath of secrecy permitted to remain in the polling stations while the illiterates' votes were being taken; and whether the Government propose to cause inquiry to be made into the subject?

Mr. A. J. BALFOUR: The Sheriff reports that it is the case that at No. 3 booth of Grange polling station the forms for illiterate voters ran short, but that the booth was not closed. Discussions did arise there between the personal tion agents as to the *bona fides* of some claims made to vote as illiterates. The Presiding Officer informs the Sheriff that he ordered out of the booth any person not producing a declaration of secrecy. Similar discussions as to inability to read occurred in the other booths. It appears from further inquiries that the number of illiterates was nearly accurately stated in the Press; I stated it inaccurately. It was 1,783.

PRESENTMENTS AT THE DONEGAL ASSIZES.

Mr. MAC NEILL (Donegal, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, at the last Assizes for the County Donegal, every presentment for the town of Ballyshannon was thrown out by the Grand Jury, on which that district was entirely unrepresented; that at the previous Assizes, in the summer of 1890, every presentment for the town of Ballyshannon was likewise thrown out; and that among the presentments so thrown out at the latter Assizes was one for the repair of Ballyshannon Bridge, which is in a dangerous condition, the water having soaked to the foundations, which are undermined by the washing away of the lime and cement; whether he is aware that, although the said presentments have been thrown out, a County Donegal Grand Jury granted £4,000 to the widow of District Inspector Martin with the full knowledge that the Government were about to provide for that lady; and whether he will take any steps, by legislation or otherwise, to secure that works for the safety of the public should not be hindered by persons who do not represent the community?

Mr. A. J. BALFOUR: The presentments of Grand Juries do not come under the cognisance of the Executive Government, but I understand that the statements contained in the question are not correct.

ETHER DRINKING IN IRELAND.

Mr. S. SMITH (Flintshire): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been drawn to an article in the *Christian Herald* of 26th March, wherein it is stated that there are 46,000 ether drinkers in the North of Ireland, imbibing annually 18,000 gallons of this liquid; whether he is aware that ether is sold by chemists, publicans, grocers, and hawkers or ragmen who go through the country districts; and whether the Government can see their way to put down the sale of this drug by re-imposing the tax upon it, or otherwise?

Mr. A. J. BALFOUR: The hon. Member has been good enough to send me the article from the *Christian Herald* to which the question refers. The Local Constabulary Authorities report that from close inquiry and observation they are satisfied that the numbers given in the article in question are wholly exaggerated. The improper sale of ether as an intoxicant had been promoted through the agencies indicated in the second paragraph; but the matter having come under the notice of the Government they took prompt steps in November last to suppress it. Ether was thereupon scheduled as a poison, and can now only be sold by authorised chemists, and by them only as a poison. Inquiries show that since that time the sale has largely diminished.

CAVAN, LEITRIM, AND ROSCOMMON LIGHT RAILWAY COMPANY.

Mr. KNOX (Cavan, W.): I beg to ask the Secretary to the Treasury whether his attention has been called to the fact that the Directors of the Cavan, Leitrim, and Roscommon Light Railway Company maintain an office in Dublin, with a manager, secretary, and large staff of clerks, though they have also ample offices in Ballinamore with another manager and staff; whether a large part of their offices at Ballinamore has been let to the Arigna Mining Company at less than a fair profit rent; whether he is aware that the Baronial Auditor, appointed at Presentment Sessions for the Barony of Carrigallen, has been refused access to the books of the Company prior to the 1st November, 1889, though without such access he cannot properly audit the accounts of the Company now under audit; whether the Company are in the habit of inviting tenders for contracts; and whether he will consider the advisability of taking further action, either by the enforcement or amendment of the existing law, in order to control the expenditure of the Company in the interests of the cesspayers and the Treasury?

Mr. JACKSON: The matter referred to in the question has not been otherwise brought before me, and I do not know whether the statements made are correct or not.

Mr. KNOX: I beg to ask the Postmaster General what are the obstacles which prevent the use of the Cavan, Leitrim, and Roscommon Railway for the conveyance of mails; and what would be the cost of conveyance of the English mails arriving at Belturbet at 1.30 p.m. to Ballinamore and other stations on the Cavan, Leitrim, and Roscommon Railway, and by car to Swanlinbar from Bawnboy Station, thereby expediting their delivery by more than 12 hours?

*Mr. RAIKES: As regards the use of the Cavan, Leitrim, and Roscommon Light Railway for the conveyance of the mails, inquiry has shown that, independently of the question of expense, there would be no general advantage in using it for the night mails. As regards day mail services, I have received to-day some suggestions which I will carefully consider, and come to a decision upon them as soon as possible.

POSTAL SERVICE BETWEEN CAVAN AND CLONES.

Mr. KNOX: I beg to ask the Postmaster General whether he can now say whether any arrangement can be made with the Great Northern Railway Company of Ireland for an improved postal service between Cavan and Clones?

*Mr. RAIKES: Steps are being taken to ascertain for what payment the Great Northern Railway Company of Ireland would provide a night mail service by train in both directions between Clones and Cavan. As soon as this information is received, I shall be in a position to deal with the matter.

POST OFFICES AT DOWRA AND GLANGELVIN.

Mr. KNOX: I beg to ask the Postmaster General whether he can now say whether any arrangement can be made for connecting the post offices at Dowra and Glangelvin with the post office at Blacklion, in the County Cavan?

*Mr. RAIKES: As already explained, the present arrangements admit of an earlier delivery of letters at Dowra and Glangelvin than would be possible by way of Blacklion and Enniskillen. Yet, in order to ascertain if the views which have been expressed by the hon. Member can be met, I have ordered careful accounts to be taken showing the origin and destination of the correspondence. When these are rendered, I shall be in a position to decide the matter.

INTERMEDIATE EDUCATION IN IRELAND.

Mr. JOHNSTON (Belfast, S.): I beg to ask the Chancellor of the Exchequer whether, in pursuance of the Rules of the Intermediate Education Board for

Ireland, as approved by His Excellency the Lord Lieutenant of Ireland on the 8th December, 1890, additional results fees have been or will be paid in 1891 out of the residue of the Irish share of the Local Taxation (Customs and Excise) Duties; whether there is a sufficient surplus likely to accrue to permit of this grant being made annually; and what the amount will be for the present year?

Mr. A. J. BALFOUR: Additional results fees will be paid in 1891 by the Intermediate Education Board, in pursuance of the Rules of the Intermediate Education Board for Ireland?

Mr. SEXTON (Belfast, W.): Have the Commissioners published any scheme for the appropriation of money?

Mr. A. J. BALFOUR: I must ask the hon. Gentleman to give notice of that question.

FISHERIES IN THE LONDONDERRY DISTRICT.

Mr. J. M'CARTHY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Mr. Thomas M'Dermott is an Inspector of Fisheries for the Londonderry District, nearly the whole of the net fishing in it being worked by the "Foyle and Bann Fishery Company," in whose employment he also is, and when as Inspector he is supposed to prosecute for any infringement of the law; and, if this is so, whether such a combination of offices has been sanctioned by the Irish Government?

Mr. A. J. BALFOUR: Mr. M'Dermott holds office under the Londonderry Board of Conservators. He is represented to be a good officer in every way. Appointments of Local Inspectors are not made under the sanction of the Irish Government, but rest solely with the Conservators.

THE IRISH CONSTABULARY.

Mr. T. M. HEALY: I had intended to ask the Chief Secretary to the Lord Lieutenant of Ireland what is the explanation of the removal of the Head Quarters of the Royal Irish Constabulary for Antrim from Ballymena to Lisburn, and upon whose application was it done? I will defer the question until to-morrow.

Mr. Johnston

RELIEF WORKS IN TUAM, &c.

Colonel NOLAN (Galway, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if, now that the spring sowing is nearly over, he would start relief works in the Tuam and Clonamaddy Unions, at a slightly higher wage than 5s. 6d. a week?

Mr. A. J. BALFOUR: I find that through the slight rise in the price of Indian meal, the money equivalent to a stone of meal a day will be about 6s. a week. This is found sufficient in districts where real distress prevails. For the week ended 11th April as many as 3,379 persons in other districts were receiving payment in meal for their labour.

DUBLIN TELEGRAPH STAFF.

Dr. KENNY (Cork, S.): I beg to ask the Postmaster General whether he can state the cause of the delay in putting into force the promised scheme of revision for the supervising officers of the Dublin Telegraph Staff, having regard to his assurances, on the 15th April, 1890, that the said revision had been already applied to Liverpool, Glasgow, Manchester, &c., and that other offices were to be dealt with in their order of importance; whether Dublin is in the same group as to importance as the offices above named; whether several offices belonging to a group of minor importance, namely, Newcastle-on-Tyne, Leeds, Bristol, Belfast, &c., have been already dealt with; whether he will now carry out the revision in Dublin, and make it retrospective in action, so as to put the Dublin officers on an equality with officers of the towns belonging to the same group as Dublin, who have had the advantage of the revision for a year; and can he state whether the delay, in dealing with Dublin, arises from local causes, or does it lie with the Central Department?

*Mr. RAIKES: In reply to the hon. Member, I have to state that I have before me now the cases of Dublin and Edinburgh. Some important questions connected with them have arisen, which present difficulty and require careful consideration. Until the difficulties are removed I can come to no conclusion, and I am, therefore, not in a position to say more than that I am giving to the subject my earnest attention, and shall endeavour to settle it as soon as practicable. I fear I can at present make no promises as to dates of commencement.

LAND PURCHASE BILL.

Mr. KNOX: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what does he estimate to be the number and acreage of the holdings in each province in Ireland which will be excluded from the operation of the Land Purchase Bill by Clause 6, (a) as pasture, and (b) because the tenant is non-resident; and what are the sources of the information upon which his estimate is based?

Mr. A. J. BALFOUR: As I have already stated, I have not in my possession information which would enable me to give anything more than a rough estimate upon the subject referred to in this question. The general basis of the estimate is material collected by the Registrar General, partly under the Census Act for 1881, and partly by special inquiries made from time to time through the police. Taking first the total number of agricultural holdings and their valuations, we have deducted an estimate prepared from the best information at our disposal of farms used wholly or mainly for grazing, farms over £200 valuation, farms upon which the occupier does not reside, demesne lands, and perpetual interests not held at full rent. The general result of deductions made on this plan is as follows:—The number of holdings excluded in this way as having been used wholly or mainly for grazing were, in round numbers—in Leinster 18,000, in Munster 16,000, in Ulster 8,000, in Connaught 10,000—total 52,000; and the number excluded as being non-residential were, in round numbers—in Leinster 2,400, in Munster 2,300, in Ulster 1,100, in Connaught 2,300—total 8,100, exclusive of non-residential farms already excluded as grazing farms. I regard all these conclusions as of so doubtful and speculative a character that I am in some doubt whether I ought to give them to the House, even though accompanied by these words of warning and caution.

Mr. KNOX: The right hon. Gentleman speaks of the number of farms which have been excluded. Does he mean excluded under the Act of 1881? If so, is he aware that the provisions in the Bill before the House are different and more exclusive than those of the Act of 1881? I may also remind the right hon. Gentleman that he does not give the acreage of the holdings.

Mr. A. J. BALFOUR: I have not got the acreage. As to the farms which are excluded I have endeavoured to give them in accordance with the provisions of the Bill, and I give what is still more important, namely, the valuation. As to the acreage, if the hon. Member will put down another question I will make the inquiry.

Mr. T. M. HEALY: Was the information obtained by the Constabulary?

Mr. A. J. BALFOUR: Yes, Sir.

THE HANSARD PUBLISHING UNION.

Mr. CONYBEARE (Cornwall, Camborne): I beg to ask the First Lord of the Treasury whether the warehouse men and cutters employed by the Hansard Publishing Union are paid on the average about 5s. below the Trade Union rate; whether he is aware that, as a consequence, the men have refused to work at those rates, and that delay and inconvenience have arisen in the delivery of the Parliamentary Minutes and other Papers; and what steps he proposes to take to obviate such delay?

Mr. JACKSON: I have no information as to the wages paid by the Hansard Publishing Union. No complaints have reached me that delay and inconvenience have arisen in the delivery of Parliamentary Minutes or Papers.

Mr. SYDNEY BUXTON (Tower Hamlets, Poplar): Arising out of that, may I ask whether, when this contract comes to an end, in the new contract the right hon. Gentleman will take care that, according to the Resolution of the House, the specified standard rate of wages is paid?

Mr. JACKSON: No, Sir; after the declaration made by the House it is unnecessary for me to make any statement on that point.

NEW WRIT.

For the County of Suffolk (Stowmarket Division), Edward Greene, esquire, deceased.

NEW MEMBER SWORN.

Henry Hucks Gibbs, esquire, for the City of London.

ORDERS OF THE DAY.

LONDON (CITY) TRIAL OF CIVIL CAUSES BILL—(No. 269.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir R. Webster.*)

(4.34.) MR. COGHILL (Newcastle-under-Lyme): Although this Bill appears to be a very innocent measure, it really embodies a policy the reverse of that which has been adopted in past years. It is said that there is not sufficient accommodation in the present Courts of Justice. May I remind the House what the sittings of the Courts amount to? For four months in the year, during the vacations, there are no Courts sitting, for another four months there are very few sitting, and in the remaining four months there are nearly always one or two of the Judges away. I do not suppose the Attorney General will find that there are six days in the year in which all the Courts are sitting. This is an attempt to give greater jurisdiction to the City. If the Royal Courts had been erected 150 yards further East, so as to come within the boundaries of the City, I do not suppose we should ever have heard of this Bill. It is simply an attempt to give the City a certain amount of prestige which does not properly belong to it.

(4.36.) MR. T. M. HEALY (Longford, N.): I think the Government have taken a very unwise course with regard to this Bill. I have read the two Acts which are said to render it necessary; but if the Bill is necessary in London it is necessary everywhere else. In my opinion the measure is of a dangerous character, in view of the arguments that can be based upon it elsewhere. Take the case of the City of Cork. A fire occurred in the Court Houses there, and a number of gentlemen were on trial. The Court was removed to a school house in another portion of the city, and of the gentlemen on trial some were acquitted, and with regard to some there was a disagreement. It is quite open to argument, that if this Bill is necessary in regard to London it was necessary in that case. In the year 1881 there was a fire in the Court House at Carrick-on-Shannon, and the Court room was only shifted. Once lay down the proposition that in order to create invalidity at Common Law it is necessary to have an Act of Parliament, and all kinds of arguments may be used for applying that proposition in civil or criminal matters. If anyone reads the two Acts on which this Act is supposed to be founded, he must come to the conclusion that, at any rate, there is nothing in those Acts prohibiting the removal of the Courts. I consider that a hasty step of this kind ought not to be taken by Her Majesty's Government unless it has been fully approved of by a large body of opinion, not only on the Bench but among the practitioners who practise at the Royal Courts. As far as we understand, no necessity has arisen for the Bill. I protest against a step of such gravity being taken without a word from the Attorney General, as the head of the profession in England.

(4.41.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I can only repeat the explanation I gave the other night. Great difficulty has been experienced in accommodating all the Judges in the Royal Courts of Justice when the services of all are available, which is only for a very small part of the year. It has been suggested that some Judges might sit for a limited time in the City; but a doubt has been raised whether there is statutory power to issue a Commission to try cases in London. The Bill applies to London only, and the corresponding question does not arise in the Cork case, because the Court removes only from one part of the county to another. When the Act under which the new Courts were constructed was passed, no part of the building was brought into the City of London. It is, therefore, proposed that at the beginning of each sitting the Judges should sit for a limited time in London to try London cases. I say there has been a doubt raised as to whether there is power to issue a Commission to try cases in the City of London, and this Bill is to remove the doubt.

It gives no new power, so far as my own opinion is concerned, and in some quarters it is held to be unnecessary. I need not point out, however, how extremely desirable it is that when a trial takes place there should be no question raised about it afterwards.

(4.43.) The House divided:—Ayes 237; Noes 64.—(Div. List, No. 141.)

Bill read a second time, and committed for to-morrow, at Two of the clock.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 1.

Amendment proposed,

In page 2, at end of Clause, to add the words, "Half-yearly returns, ending on the thirtieth day of April and thirty-first day of October respectively, shall be presented to Parliament by the Land Commission, giving the following particulars respecting cases of default in the payment of any purchase annuity:—Name of purchaser; name of vendor; province, county, and townland in which the holding is situate; date of purchase; area (in statute acres) of holding; tenement value of holding; rental of holding when purchased, and whether judicial or non-judicial; amount of purchase money; amount of instalments paid; amount of instalments in default; proceedings taken for recovery."—(*Mr. J. E. Ellis.*)

Question again proposed, "That those words be there added."

(4.56.) MR. KNOX (Cavan, W.): I would propose in the tenth line of the Amendment to leave out "tenement" in order to insert "rateable."

Amendment to the proposed Amendment agreed to.

Amendment, as amended, agreed to.

MR. KNOX: I beg to move the Amendment standing next on the Paper, save that I desire in the fourth line to leave out the words "twenty-five" in order to insert "fifteen." I do not know whether the Chancellor of the Exchequer is prepared to accept the Amendment, or if he proposes in any way to meet the difficulty. If he does I will not propose this addition to the clause. If Consols and other securities rise considerably in value the tenant may lose a great deal in consequence, and in respect of future issues this Guaranteed Land Stock ought to be reduced proportionately, also the tenant's instalments. I do not know whether there is a better way of effecting this object than by the Amendment I now move.

Amendment proposed,

In page 2, line 2, at end, to add, "(4.) If at any time the National Debt Commissioners shall report to the Treasury that Guaranteed Land Stock, consisting of annuities yielding dividends at the lowest rate of any theretofore issued under this Act, and not redeemable within fifteen years thereafter, is not purchaseable by them at a less price than £105 for every £100 Stock, the Treasury shall order that all Guaranteed Land Stock thereafter issued shall consist of annuities yielding dividends at such rate that, in their opinion, the Stock so issued would be purchasable at par, and such Stock shall be issued accordingly, and the annuity payable by any purchaser purchasing after such order shall be reduced to the same extent that the rate of dividend shall have been so reduced."—(*Mr. Knox.*)

Question proposed, "That those words be there added."

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I quite understand the object of the hon. Gentleman, and I will consider what steps, if any, can be taken. But I will venture to lay down this proposition that there should not be frequent changes, and if any changes should be made, that they ought to be extremely simple so as not to endanger any financial calculations. Hon. Members will see if anything should be done in the direction suggested by some hon. Members, namely, that the tenants should be able to find a Stock in order to pay the amount of their Sinking Fund, that this Stock ought to be Stock very easily negotiable; in fact the more negotiable the better for all parties. With that object one large Stock would be inscribed by the Bank of Ireland. I will consider this point whether if it should appear that this Stock would command a price considerably above par for a certain time, after a certain amount of Stock has been issued, any change on the part of the Treasury should be made. I think the hon. Gentleman will see that in that suggestion, I am going in the direction he desires, and appreciating the point he has raised. I will see whether the object can be met by some clause introduced in the Bill.

Mr. SEXTON (Belfast, W.): Suppose a tenant owes a balance of £100, would he be entitled to go into the market and buy a few hundred pounds of Stock at £96, and apply that to the extinction of the balance of his debt?

*Mr. GOSCHEN: I think that so far as he owes, for the extinction of Stock, that that would be a perfectly fair arrangement.

Mr. SEXTON: I suppose the right hon. Gentleman will bring up words on Report. But there is one other matter connected with this. The National Debt Commissioners have power to purchase Stock from time to time for the extinction of the debt. What I want to know is this: Suppose the Treasury would get £100 cash for every £100 of Stock at the end of the 49 years, and the National Debt Commissioners purchase Stock of this kind, of course there will be a profit—I would ask the right hon. Gentleman whether, in view of the fact which the right hon. Gontleman has before stated, that the State should have no profit, he would consider whether the profit should be devoted to Irish purposes.

*Mr. GOSCHEN: It will be necessary to look to the whole course of the 49 years. Looking at the possibilities of the future, it will only be towards the end that the State could say it would derive profit. I should not like to go so far as to say that every possible profit should be devoted to Irish purposes.

Mr. SEXTON: The matter will not be regarded as finally closed at present.

*Mr. GOSCHEN: No; but I do not think it arises on these two Amendments.

Mr. T. M. HEALY (Longford, N.): This is a matter of considerable importance. I would like to ask the Chancellor of the Exchequer whether the landlords, who have the advantage in the event of their being called upon to extinguish tithe rent-charge and the Stock depreciates—whether they will then be entitled to tender the Stock for the extinction of this tithe rent-charge?

*Mr. GOSCHEN: That is a totally different question. I do not see my way to that. The point is new to me, and the hon. and learned Member will scarcely expect me to give an answer to the matter without notice.

Sir G. CAMPBELL (Kirkcaldy, &c.): It seems to me that the concessions which the Chancellor of the Exchequer has shadowed forth are likely to lead to great confusion and loss to the British taxpayer. There is the concession that if this Stock should be depreciated the tenant might pay with Stock, but if, on the other hand, the Stock is appreciated then the tenant might pay in cash, and the loss will be borne by the Treasury.

*Mr. GOSCHEN: No. There is no loss, because we are not bound to redeem above par. The Stock is redeemed at par.

Amendment, by leave, withdrawn.

(5.10.) Mr. SEXTON: I beg to move to add, after line 2, the words—

"(4.) The sums paid to the sinking fund for the purpose of the redemption of such stock shall be applied in such redemption, and any stock issued under this Act shall be redeemed within forty-nine years from the issue thereof."

The Chancellor of the Exchequer was good enough on my suggestion a little time ago to promise to bring up words to carry out this view, but perhaps the right hon. Gentleman might not have had time. The arrangement of the Bill is that by a Sinking Fund a sufficient sum of money should be raised for the extinction of Stock. I consider it of great importance with reference to the future relations between Great Britain and Ireland that there should be no out-standing liabilities with regard to this Stock, and that what the Sinking Fund intends to do should be done.

Amendment proposed,

In page 2, after line 2, to add, "(4.) The sums paid to the sinking fund for the purpose of the redemption of such stock shall be applied in such redemption, and any stock issued under this Act shall be redeemed within forty-nine years from the issue thereof."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

(5.12.) Mr. GOSCHEN: I cannot accept these words as they stand, but the hon. Member is right in saying that it is the purpose and intention of the arrangement that the Stock should be redeemed within 49 years of the issue, and also that the Sinking Fund should only be applied to the purpose of this Act, and should be kept perfectly apart from any other financial purpose of the State. We should employ the Sinking Fund in the purchase of Stock, but the hon. Member and the House would have every security that it would be absolutely tied down and would not be available for any other purpose than for the redemption of this Stock. There will be no diversion of the Sinking Fund to any other purpose than the redemption of such Stock. I think I shall be able to meet the hon. Member's wishes in the main.

MR. SEXTON: I think the right hon. Gentleman's reply substantially meets my purpose, and I suppose he will bring up words on Report.

Amendment, by leave, withdrawn.

Question proposed, "That the Clause, as amended, stand part of the Bill."

(5.14.) MR. LABOUCHERE (Northampton): As I understand it, on the Second Reading of a Bill we do not absolutely assent even to the principle of the Bill. What I think we do is to concede that there is sufficient in the Bill to warrant that the gentlemen proposing them should have the opportunity of defending and explaining them, and showing whether they are practical in Committee. I know this is not the Tory theory just at the present moment. There is all the difference between the "ins" and the "outs." When the Gentlemen opposite were out, as they showed on the Hares and Rabbits Bill and many other Bills, they considered they had a perfect right to discuss the Bill in Committee. But having come in, they lay down the rule, that in Committee we ought only to make clerical Amendments; that it is our business to hear and obey, and that any real discussion amounts to obstruction. That is not our view. We intend, subject to your ruling, to oppose this Bill, because it is bad in detail. In fact, there is no part of the Bill but which is thoroughly rotten, and I shall do my best to oppose it. The most rotten part of the Bill is Clause 1, which creates Guaranteed Stock. Of course, land purchase might be carried out in many different ways, and we should not destroy the Bill if we did away with this Guaranteed Stock, though that would make it necessary to introduce great and important modifications. We have discussed several Amendments to this Bill, all of which have been rejected, including that of my hon. Friend the Member for Newcastle. Under these circumstances, it seems to me that the only thing we have got to do is to strike out the clause altogether, leaving it to the Government, if they can, to find the money in some other way. Hon. Members opposite come down here with a foregone conclusion, and far from my poor arguments having weight with them, were I to speak with the tongue of an angel, they would remain unconvinced. ["Hear, hear!"] Yes, the hon. Gentleman opposite says that even an angel would not convince him; he would stick to his view, even if addressed by an angel. The object for which this money is guaranteed is not so clearly advantageous that it justifies us in incurring this liability of £30,000,000. I do not believe myself that there is any value in the present dual ownership in Ireland.

THE CHAIRMAN: The hon. Gentleman is not entitled to enter into a general discussion on the whole scheme of the Bill.

MR. LABOUCHERE: This is a scheme of land purchase. Might I point out that it will not pay; that the speculation is bad?

THE CHAIRMAN: No.

MR. LABOUCHERE: Not bad? Then what arguments can we adduce against this clause? I have plenty of arguments, but I do not know which would be consistent with the point of Order. But let us admit that this money is to be spent in the best way possible. Let up admit that it is the business of the House to do away with the existing dual ownership, and to introduce the taxpayer as the partner in this dual ownership. Then, Mr. Courtney, we have to consider whether this great and valuable and useful reform can be effected without any sort of liability to the English taxpayer. We are told that there will be no liability to the English taxpayer, because these new owners or partners will pay every year these annuities for 49 years. I doubt whether they will be able to pay them. I think it very probable that agrarian and political feeling will be welded into one, and that there will be a general strike, in which case it is obviously impossible for us to go into the matter, because the right hon. Gentleman the Member for West

Birmingham has said that he will not be a party—and I suppose he is in some way one of the authors of the Bill—to any sort of evictions. But it is urged that the tenants will pay because the Ashbourne tenants pay. But that is not germane to the point. The question is, will these tenants pay? Will we get back our money? According to a pamphlet by Mr. Sydney Halifax, some of the tenants who have purchased under the Ashbourne Act deny that they entered into the contracts voluntarily. Hear what the tenants of the Marquess of Waterford state. The Marquess received the sum of £124,000, but the tenants are not able to pay, and the majority of them say that being in arrears they were threatened with eviction if they did not agree to buy on the landlord's terms.

The CHAIRMAN: The hon. Gentleman is anticipating several Amendments to Clause 6.

Mr. LABOUCHERE: I desire to ask what we are going to do if we find that these tenants cannot pay? I can only say that I know of reasons that would last me a couple of hours against this particular clause. But to put it generally, I object to the mode in which this money is to be expended, and I deny that we will get it back. I protest against the present Parliament guaranteeing this money, because the majority of this House were elected on the specific assurance that they would not expend money in this way. It is said that we Radicals are acting against the interests of Ireland, but I would point out to hon. Members for Ireland that we are bound to represent our constituents just as they are bound to represent theirs. I perfectly understand the position of Irish Members. They regard this as some boon. It is said that "A bird in the hand is worth two in the bush." That depends upon what the bird in the hand is and what the bird in the bush is. A sparrow in the hand is not worth a turkey in the bush, especially if the sparrow is intended to prevent you from getting hold of the turkey.

The CHAIRMAN: Order, order! The hon. Gentleman is arguing against the Bill, and is not directing his observations to the clause.

Mr. LABOUCHERE: All I can say is, that though we have great sympathy with Irish Members on this matter, that will not prevent us from acting as our constituents wish, notwithstanding the taunts and misrepresentations of the hon. Member for Cork. We know perfectly well that we shall be defeated in this House; but it is our object to show the public that they are being tricked, cozened, and robbed by the men they were foolish enough to send to this House. I trust, when the next General Election comes, that it will be proved we were in the right, and that we shall be thanked by the country for having done our best to prevent what we consider nothing better than a gross robbery of public money.

*(5.29.) Mr. CHANNING (Northampton, E.): I wish to put one or two arguments before the Chancellor of the Exchequer in order to induce him to re-consider his answer to the Amendment of my right hon. Friend the Member for Wolverhampton. I think the reply of the Chancellor of the Exchequer to the question with regard to the repayments by the tenants to the Sinking Fund illustrates exactly what I wish to lay before the Committee. The right hon. Gentleman said he would allow the tenant, if the Guaranteed Land Stock falls to a discount, to repay his loan (so far as the Sinking Fund is concerned) out of the depreciated Stock, but he would not allow him to employ the Stock generally for the repayment of the total amount of the annuity. Would it not be wiser to adopt the plan of the right hon. Gentleman the Member for Wolverhampton, and have but one Stock—a Stock which would incur the minimum of risk of fluctuation and depreciation, and would stand in the closest possible relation continuously to the amount contemplated to be handed over by the tenant to the landlord? Now, what the opponents of the Bill feel is this. We cannot prevent its passing through the House, but we hold with regard to the financial arrangements that there is a responsibility upon us which we cannot ignore. Now, the financial arrangements between the purchasing tenant and the selling landlord, and between the purchasing tenant and the Exchequer, should be of the greatest stability, causing the minimum of injustice to all concerned. It should also be the nearest approach to certainty and solidity, and

afford some guarantee for promoting an agrarian settlement in Ireland. We know that the Government laid it down in the first instance in 1888 that these payments should, as nearly as possible, correspond—that, so far as possible, £100 should be given to the landlord in cash for every £100 nominal debt. Last year the Chief Secretary, in introducing the Bill, made use of an expression of considerable importance in regard to this matter. He said not only ought the landlords to be paid in what is practically cash, but they ought to be paid in a form directly and immediately convertible into Consols or Land Stock which would really be equivalent to Consols. But the Chancellor of the Exchequer, in the course of these Debates, has made it perfectly clear that Clause 7 of the Bill as now drawn does not correspond with Sub-section 2 of Section 22 of the Bill of last year; and, instead of allowing the Stocks to be interchangeable to one another, he gives only a limited power to the National Debt Commissioners to invest in this Land Stock. There will not, in fact, be a direct interchangeability. Last year the Chief Secretary said—

> "The selling landlord will be repaid in Government Stock bearing 2¾ per cent. for 30 years. The Chancellor of the Exchequer tells us that in his opinion that Stock is at least as good as Consols, and if any landlord is foolish enough to take a different view there is a provision in the Bill which obliges the National Debt Commission to exchange Consols for the Guaranteed Land Stock should he so desire."

Now, the whole of that has been cut away by the statement of the Chancellor of the Exchequer. The National Debt Commissioners, instead of being under an obligation to exchange, have only discretionary powers to invest under strict limits laid down by the Treasury. I submit the result will be that this new Stock which we are creating will be subject to great fluctuations and great depression. The Debates of the last few days have disclosed great differences of opinion on this point. The right hon. Gentleman the Member for Wolverhampton holds that a Stock bearing 2¾ per cent. for 30 years is a superior Stock to Consols; that it would have a higher value, and that the landlords of Ireland would be receiving too much. On the other hand, the Chancellor of the Exchequer, after making a great many statements on this question, has practically come to the conclusion that in all probability the Stock will stand about equal to Consols for the next three years; but he will not commit himself to anything further. I rather take it he means that for future purposes the Stock may be somewhat inferior to Consols. If the right hon. Gentleman the Member for Wolverhampton is correct we are committing an injustice on the English taxpayer; but if the Chancellor of the Exchequer is right you are encouraging the payment from one class of men to another of a depreciated currency. Some may say the difference will have to be paid by the landlord. I say it will fall on the tenant, because the landlord will not only demand a larger number of years' purchase in proportion to the discount at which the Stock may be standing, but also, bearing in mind the possible depreciation of the Stock, will charge the tenant so as to cover future contingencies. And, again, while the tenant will be borrowing from the State in a depreciated currency, and paying the landlords in that, he will have to pay the State back in hard cash. The Chancellor of the Exchequer has intimated that he will consider the possibility of permitting the tenant to buy this Stock if it is at a discount, and pay that portion of the annuity which goes to the Sinking Fund with it; but why will he not extend that privilege to the whole annuity? The Chancellor of the Exchequer says that doing so would possibly entail a loss to the Exchequer. I submit, however, that the refusal of that right would entail a still heavier loss on the tenant, and I hope, therefore, that the Chancellor of the Exchequer will re-consider his decision on that point. Again, I ask would it not be a wiser and a sounder policy to have but one Stock in the form of Consols? It is singular that a Minister who has distinguished himself and his financial reputation by a grand policy for the consolidation of all branches of the National Debt should support a proposal of this kind by his authority—a proposal which will multiply accounts, make new Stocks, and create financial confusion. I should have preferred, in the treatment of the Irish land question, to have seen the Government adopting the policy which is to be applied to small holdings in

England and make the advances to the Local Authority and to Land Banks; but, seeing that the Government have adopted the policy embodied in this Bill, I hold I am justified in supporting the rejection of the clause in order to emphasise once more the contention that if these things are to be done well they should be carried out so as to produce the least friction between the parties themselves and between them and the State, and that the Stock created should not be of a varying and fluctuating nature. This is a strong argument for the Government adopting one Stock which would cause least loss to the State, would place these matters on a solid and permanent basis, and would produce less confusion, uncertainty, and discontent in Ireland.

*(5.44.) MR. W. P. SINCLAIR (Falkirk, &c.): As I understand the object of the Amendment of the hon. Gentleman the Member for Northampton, it is practically to destroy the Bill. After your ruling, Sir, I think I should be wrong to do more than direct my observations to the point that the Stock which it is proposed to issue under this clause is to be Guaranteed Stock; that is to say, it will be supported by Imperial credit. This is, generally speaking, contrary to the usual custom of the House. We are now supporting by Imperial credit a measure of this kind, and it is only fair the question should be asked, "Why do we do so?" The answer is, I think, a simple one, and can be given in a very few words. It is this: The character of past legislation in this House bearing upon land in Ireland has been such that it requires an effort on the part of the Imperial Parliament to assist in changing the system of land tenure; a change most desirable to bring about. Dual ownership has been created by the legislation of the past. It was brought about, in the first instance, by land legislation, which enabled the landlord to confiscate in days long gone by the property of the tenants; and such a state of things having been created, it requires the intervention of Imperial credit in order to bring about that which sought to be established, namely, the cultivator of the soil being the owner of the land which he is cultivating. That is the defence to be put forward for the use of Imperial credit. It is one which, when stated distinctly and plainly to my constituents, has willingly been accepted by them as being a good and sufficient reason for the introduction of Imperial credit to effect this object. It has frequently been said in the course of these Debates that some of us won our election in 1886 by opposing the Land Purchase Bill of the right hon. Gentleman the Member for Mid Lothian. It is true, Sir, that we opposed his particular scheme; but we did not oppose land purchase as a whole, nor land purchase backed up by British credit. I need not dwell upon this point. I simply emphasise the fact that so far as myself, and I believe many of my colleagues, are concerned, the statement to which I have referred is not correct.

(5.48.) MR. PICTON (Leicester): It is not possible to deal with the point raised by the last speaker without, I fear, transgressing the rules laid down for the government of this Debate, and I therefore will not attempt to reply to him. I may, however, say this: that if the hon. Member could be allowed to be correct in urging that the difficulties of the Irish landlord ought to be met out of the British Exchequer by British credit, at any rate the Irish landlord ought not to be treated more favourably than the holder of British funds, and I do urge the Chancellor of the Exchequer to realise the injustice he is doing to the present holders of Imperial Stock by giving better terms than they now have to those who will be the holders of the new Stock. The Chancellor of the Exchequer, when he brought his great conversion scheme before this House, gave very good ground for his confidence that any amount of money might be obtained on British credit at 2½ per cent., and he argued that it was an injustice to the taxpayers generally to go on paying more than 2½ per cent. I think if this new Stock be at all required he ought not to offer more than 2½ per cent. for it. After all, he is creating but a new variety of Consols which rest on Imperial credit, and which constitute an addition to the National Debt. I consider that what he is doing is a piece of that policy of bribery and corruption by which we have endeavoured to rule Ireland through the landlords in the past. It has been shown that the difference between 2½ per cent. and 2¾ per cent. will amount to £75,000 a year. That, in 49 years, gives us £3,684,000 to be put into the pockets of the Irish landlords as a bribe. I contend that it is utterly unnecessary thus to waste money. If the Irish landlords or the holders of this new Guaranteed Stock had been treated on the same terms as the present holders of Consolidated Stock, if they had been offered $2\frac{3}{4}$ per cent. for the first 15 years and $2\frac{1}{2}$ per cent. for the remainder of the 49 years, we should have had to pay less by £2,500,000. But here we are giving simply more than £3,500,000 to the Irish landlords to bribe them into selling their land. I say there is no justification for this whatsoever, and, therefore, I cannot see this clause pass without uttering a final word of protest against it. I shall vote against it, as I intend to vote against every other clause and against every stage of the Bill.

(5.52.) MR. J. E. ELLIS (Nottingham, Rushcliffe): I wish also to utter a word of protest. I am not one of those, I confess, who have always said that under no circumstances would they support a scheme of giving Imperial credit for the assistance of the Irish Government in the matter of land purchase. Looking historically at the question of Irish land as it has been dealt with in this Bill, and especially at the aspects it has presented in the lifetime of many of those now here, there is, in my opinion, a debt due to Ireland from the Imperial Exchequer. At the same time, I think that those who sit below the Gangway will agree with me that this debt should be discharged in a way not dangerous to the Imperial Exchequer. In December last a large number of Members of this House voted in favour of a Resolution that this Bill was "dangerous to the British taxpayer and hurtful to the Irish occupier, and it is because I believe it has both these elements of danger that I intend to oppose every line of every clause of this Bill. I take it that the objects set up by this clause are twofold. It is intended to settle the question of social order in Ireland and to create a peasant proprietary. At any rate, these have been objects which have been put forward by the Chief Secretary in supporting the Bill of which this clause is the essence. I think we are entitled to inquire whether there is any experience of the past to show that similar provisions in former Acts of Parliament have attained these particular ends. Now, there are three very instructive Returns as to the danger we have run by bringing Imperial credit to the benefit of Ireland by advancing money under the Ashbourne Acts. So far as the Returns—No. 81, Session 1889, and No. 115, Session 1890—are concerned, they are the only two before this House which give adequate particulars of the operations of the Ashbourne Acts, and certainly it cannot be gathered from those particulars that either social order has been promoted or a peasant proprietary created. I have to acknowledge the courtesy and reasonableness of the Government in importing into this clause two Amendments which I have suggested with regard to the Returns under various heads; and if we had had before this House as regards the Ashbourne Acts full particulars, I think I should have been able to show that the result of the advances under those Acts had been nothing like those which had been suggested by the right hon. Gentleman in the direction of promoting social order and creating a peasant proprietary. I am going to refer now to a Return which carries the Return of last Session a little further and gives the list of defaulters—a list of those who have not paid their instalments under the Ashbourne Act. It is a very instructive Return indeed, and in the hands of some Members of the House might occupy a considerable time in examination before the Committee. But I am not going into it in any great detail. I wish to draw the attention of the House to two or three facts arising out of the Return.

THE CHAIRMAN: Order, order! The hon. Gentleman, to judge from his own language, is speaking to the principle of the Bill, and not to the machinery of this special clause.

MR. J. E. ELLIS: I am sorry, Sir, to have transgressed. It is my earnest endeavour not to do so. Do I understand your ruling to be that I am not entitled to show on this Return that danger has attended the issue of advances in the past, and that similar danger to the Exchequer may attend the operations of this clause?

THE CHAIRMAN: Order, order! That is an argument against the Bill as a whole. No doubt it is an argument, too, against every part of the Bill, but it is not an especial argument to be used against this particular clause.

Mr. J. E. ELLIS: May I put it to you most respectfully that we are by this clause to bring Imperial credit to the aid of the Irish Exchequer? My contention is that that may be attended with danger to the English taxpayer. We are here as representing the English taxpayers. I have a Return in my hands submitted to Parliament showing that by advances under certain Acts for purposes identical with those set forth in this clause danger has arisen, and, therefore, I respectfully submit to you, Sir, it is in order for me to show upon this evidence *à priori* that the same danger will arise to the British taxpayer from this clause.

The CHAIRMAN: That argument would be relevant to the Second Reading or the Third Reading, but it is not revelant to the question now the Bill is in Committee. It does not affect this special clause.

Mr. J. E. ELLIS: If you, Sir, rule that we cannot discuss the danger to the British taxpayer arising under this clause, then I have nothing further to say.

(6.0.) Mr. W. E. GLADSTONE (Edinburgh, Mid Lothian): Do I understand that on this clause, which guarantees certain loans from the Public Exchequer, it is not open to us to discuss the danger that may occur to the Exchequer?

The CHAIRMAN: That is not quite correct. The question of guarantee has already been argued and decided by a Division in the Committee. The Committee cannot go back on that decision. The question now is whether Clause 1 stand part of the Bill.

Mr. W. E. GLADSTONE: I confess I am totally unable to understand the decision, and I will not attempt to address the Committee in regard to it.

(6.1.) Mr. SEXTON: I think the discussion to-day has been vindicated by the useful results secured. For example, it was understood that there was to be £30,000,000 of Stock, and yet the Bill contained no provision whatever for the creation of the Stock. It would have been very awkward if the Stock had not been created. It was also important in the discussion to reveal the fact that there was no provision in the Bill for dealing with the unexhausted balances under the Ashbourne Acts. The Chief Secretary has put down Amendments permitting the use of those unexhausted balances. I myself brought to the notice of the right hon. Gentleman another important matter, namely, that there is no provision for the issue of the repayments under the Ashbourne Acts. Such provision has been withdrawn from the Bill of the present year without any explanation. It constitutes a very important part of the sum available, and I trust, before we reach Clause 6, the Chief Secretary will think it his duty to re-consider the subject and make these resources available. The Irish Representatives will certainly consider it their duty to press the point. As the hon. Member for the Rushcliffe Division has very truly said, he has been successful in his two attempts to amend the clause. It is important that the House should have before it from time to time authentic records, firstly, of the transactions under the Act; and, secondly, of any defaults that may arise. I think the right hon. Gentleman will agree with me that the insertions of these Amendments have improved the clause. The Chancellor of the Exchequer has also made some concessions to-day. In the first place, at the suggestion of the hon. Member for Cavan (Mr. Knox), he has agreed that when this Stock reaches a high premium, as it undoubtedly will, the Treasury will give the purchaser of the farm the benefit of any reduction in the price of the Stock. That is a very great improvement of the clause, and my hon. Friend deserves the thanks of the Committee and of the tenant farmers of Ireland for the foresight which enabled him to initiate an Amendment so reasonable. I am also sensible of the importance of the concession, that the Bill should contain a specific engagement that the purchase for which the Sinking Fund is intended shall be effected within the contemplated term. These Amendments and concessions, if there is nothing else, amply vindicate us in occupying the time of the Committee. Personally, I am not hostile to the principle of the Bill. I consider it a necessary principle. I suppose no one will be more surprised than the Chief Secretary that the hon. Member for Cork

(Mr. Parnell), in a speech delivered in Ireland yesterday, boasted he saved the Bill on Friday night. I do not suppose the Chief Secretary imagined the Bill was in any danger; if it had been in danger, I do not think it would have been saved by the hon. Member for Cork and the 10 Members who followed him into the Lobby. The hon. Member for Northampton proposes to leave out the clause because it provides an Imperial guarantee for the stockholder. That, I think, is a just and necessary measure, not only for the sum of £30,000,000, but for such a sum as would effect a transformation of the whole abominable land system England has imposed on Ireland. No doubt the clause contains a pendant, which provides that, while in the first instance the guarantee shall be provided from the Consolidated Fund, any loss sustained shall be borne by the Guarantee Fund as provided by the Act. If the Guarantee Fund were defined in the clause I should feel it my duty to vote against the clause, because I object in principle to any local guarantee for what I consider a strictly Imperial responsibility. But as the final words of the clause do not define the amount or the sources from which it is to be provided, and seeing that the whole intention of the clause does not determine the subject of the Guarantee Fund, and does not preclude me from discussing at a future stage from what source the fund shall be derived, and that the question remains open, recognising that the essence of the clause is the establishment of an Imperial guarantee, and that the question of local guarantee is not, in fact, determined by the clause, if the hon. Member for Northampton goes to a Division, I shall think it my duty to vote against him.

(6.9.) Mr. E. ROBERTSON (Dundee): If I am in order, I should like to submit one point to the Committee. You, Sir, will recollect that the first evening the Bill was in Committee I moved the rejection of Sub-section 1 of Clause 1. I did so on the ground that by the Bill, and particularly by the 1st sub-section, we were not called upon to give direct power to grant money. The Bill did not authorise the issue of a single penny beyond the £10,000,000 under the Ashbourne Acts. I withdrew my Amendment in consideration of a promise by the right hon. Gentleman that he would meet all I demanded by words to be introduced in Clause 6. What I propose to submit to the Committee is that the Amendment the right hon. Gentleman has given notice of does not meet the difficulty I suggested.

The CHAIRMAN: It is extremely inconvenient to anticipate a discussion of words which are proposed to be added to a subsequent clause. If the hon. Gentleman tells me his action in respect of this clause depends upon the meaning to be attributed to these words, I do not see how I can prevent him examining them. It may be that the object aimed at is common to the hon. Member and the Chief Secretary, and that the only question is how the object is to be accomplished. In that case, the hon. Member may agree to withhold the discussion until Clause 6 comes up.

Mr. E. ROBERTSON: I may, perhaps, save time if I state my objections to the right hon. Gentleman's Amendment. The right hon. Gentleman proposes to amend Clause 6 by inserting the words—

> "Advances may be made under the Land Purchase Acts as amended by this Act, notwithstanding any limitation contained in the Land Purchase Acts, 1885 and 1888, by the issue of Guaranteed Land Stock, but such advances."

I submit that in three points these words fail to serve the purpose for which he has introduced them. Section 6, after these words are inserted, will do no more than Section 1 already does. Advances may still be made under the Purchase Act notwithstanding any limitation contained in the Acts of 1885 and 1888. The aggregate limitation of £10,000,000 is not the only limitation in the Purchase Acts of 1885 and 1888; there was an individual limitation of £3,000 on each individual advance—£5,000 in the Purchase Act of 1885, reduced to £3,000 in the Act of 1888, but capable of being raised to £5,000 in exceptional cases.

(6.17.) The CHIEF SECRETARY for IRELAND (Mr. A. J. Balfour, Manchester, E.): On the point of Order as suggested by you, Sir, may I ask whether, considering that the whole object of the Bill is to authorise advances, and that the words the hon. Gentleman is criticising occur in an Amendment to Clause 6, this is the proper time to take the discussion?

THE CHAIRMAN: It is extremely inconvenient, as I have said, to discuss these words here. It appears the object aimed at is common to both the hon. Member for Dundee and the right hon. Gentleman, and the only question is, what the words proposed to be inserted in Clause 6 accomplish. If that is so, it would be better to wait until we come to Clause 6.

MR. E. ROBERTSON: My main purpose was to inform the Government of the grave objections to the Amendment. I believe the new words make the Bill ten thousand times worse than it was before. The promise of the Chief Secretary to introduce satisfactory words, on which promise I withdrew my Amendment, remains unfulfilled. I am, therefore, obliged to vote against the whole clause.

*(6.16.) SIR G. TREVELYAN (Glasgow, Bridgeton): I shall most certainly vote against this clause, and my reason for doing so is drawn from the clause itself. The clause establishes a complicated machinery for carrying out most important objects. The clause says—

> "For the purpose of such redemption a Sinking Fund shall be established by means of an annual sum, at the rate of 1 per cent. on the nominal amount of the capital payable in equal half-yearly payments."

We know what the whole clause is, and under what conditions this Sinking Fund will be carried forward, and I maintain that to put these words into the clause is to state something which will not be carried out. There is one county in Ireland where £450,000 in round figures has already been issued under the Ashbourne Act. Of the £450,000, £270,000 has been issued to the tenants of two landlords. One of the landlords sold land of which the rent was £4,000 a year, and the tenants of farms which paid £3,000 or three-fourths of this rent, have already applied for an extension of the time of repayment which would make it absolutely impossible to carry out this which Parliament is asked to pronounce shall be carried out in the clause. But that is not all. Another landlord in the county has sold land for £12,000. Already farmers who pay rents of £3,800 a year have appealed for an extension of time, and to show that the bargains were such that they had reason so to appeal, I say that some of the farmers have already been sold up. Now, Sir, if so quickly after that Act has been put into operation so large a number of farmers have applied for an extension —an extension which would render absolutely nugatory the machinery for setting up a Sinking Fund, what would happen with regard to the whole of Ireland? Observe what an extension will be required. All you have to deal with is this 1 per cent. which goes to the Sinking Fund, and in order to grant the extension which these tenants desire, and which from private inquiries I have made I believe they do require, considering the sums that have been paid to the landlords, you would have to apply the extension to an enormous area of time, and would have to maintain for a long time indeed the relations we object to enter into with Ireland. I believe that since these tenants have what is called purchased their holdings—as if it was they who had purchased them, and not we—there has been no bad seasons. How can you expect the Sinking Fund to go on successfully when they have bad seasons? The right hon. Marquess the Member for Rossendale (Lord Hartington), speaking not very long ago, said that the bad harvests which had prevailed in Ireland had rendered the payment of rent impossible. When you have a bad harvest, the carrying out of the machinery of the Sinking Fund will be an impossibility. The reason for these great difficulties in Waterford, as well as in many other counties, is that the Commissioners are not able sufficiently to inform themselves of the local circumstances of all these farmers. If this clause had provided for a reference to some body who knew the farmers and the district, I should have felt very differently about it; but this it does not do, and we are left at the mercy of the ignorance of the Commissioners and the greed of the landlords.

(6.25.) MR. ROBY (Lancashire, S.E. Eccles): I have not troubled the Committee on this Bill before, and I am only desirous now of saying a few words, in order to prevent any misunderstanding of my views. I purpose voting with the hon. Member for Northampton (Mr. Labouchere) in favour of putting an end to this clause, but I hold, in some degree, different views from his. I am not at all opposed to the use of English money or English credit for the purpose of a real settlement of the Irish land difficulty; first, because I think that looking at the past transactions with Ireland we owe them much, and, secondly, because I take it that the removal of any great grievance is a legitimate object for the use of Imperial money and Imperial credit. I object, however, to this clause on three main grounds. First and foremost, it does not establish or provide for or refer to or permit any local control over the purchase. Secondly, the guarantee proposed is, to my mind, most objectionable; thirdly, I am not at all convinced that there is any advantage whatever in creating a new and peculiar Stock for this purpose. It seems to me in every way that it would have been better to raise the money required on the same terms and conditions as the Consolidated Stock. As my election has been tolerably fresh, I think I have a perfect right to express these views in the name of my constituents.

(6.27.) Mr. LABOUCHERE: If this liability of £30,000,000, which is to be thrown on the British taxpayer, would bring about a settlement of the real Irish question, I should be very glad to assent to the proposal, even if the money were to be thrown into the sea. The reason why I am opposed to it is that I believe the expenditure will not be of any advantage to Ireland, and I do not believe it will lead to Home Rule. With your ruling before me, Mr. Courtney, I will not attempt to go into the whole question of Home Rule, but I think it ought to be understood that we consider we have a plan by which, if Home Rule were granted, Ireland would be able to borrow this money at precisely the same price as she will be able to borrow it now without involving the British taxpayer in any sort of guarantee or liability. We are asked to vote this money under an absolute and entire misconception as to the figures on the part of the Chancellor of the Exchequer. Remarkable as it would appear, the Chancellor of the Exchequer has himself furnished us with a Return in which he acknowledges his error. I think it will be admitted that the object of the clause is to create £30,000,000 of Guaranteed Stock, which is to be paid off by a Sinking Fund at 1 per cent., and we are told that this will be covered by the £1,200,000 which we are supposed to have in hand in respect of the Irish contributions to the Treasury. But, remarkable as it may seem, this does not cover it in any sort of way. This is due to the use of the Sinking Fund for the object of the Bill. I think it will be admitted that the object of the clause is to create £30,000,000 of Guaranteed Stock to be paid off, and a Sinking Fund of 1 per cent., with 3 per cent. to be used as interest. I will try to make myself clear, taking an advance of £100 as an example. Each year you assume it is £100, and you never exceed that. What occurs? The first year there is 1 per cent. paid into the Sinking Fund, leaving £99; the next year it is £98. You are employing also your interest to your Sinking Fund and increasing your liability each year; you are not covered each year by the annuity. Now the Chancellor of the Exchequer has furnished us with a Return which admits the fact. He has given us a table showing the maximum gross advances that may be made under the Bill for the first 30 years. I do not know why he does not go beyond that period unless it is that the sum proves so enormous. The Return which has been issued by the Chancellor of the Exchequer proves that he is wrong, for he himself shows that the annuity will increase to £1,212,000 in the second year and to £1,845,587 in the thirtieth year—that is to say, that if the tenants should not pay, the implication is that the deficiency will be covered by the £1,200,000. But that cannot be, because, as the Return itself shows, the tenants will in the thirtieth year owe more than £1,800,000. Some explanation is surely required from the Chancellor of the Exchequer or the Chief Secretary, because the very essence of the plea for this loan is that we shall be absolutely covered by the £1,200,000. I may be wrong and the Chancellor of the Exchequer may be able to convince me that I am, but I think we ought to get some explanation.

(6.34.) Mr. A. J. BALFOUR: As I understand the point of the hon. Member it arises only on the amount of the advances made and the amount paid to and from the Sinking Fund, and I would ask whether it is in order to discuss this on the clause that does not deal with it. As I understand the hon. Member, his question would arise on a later clause (6) dealing with re-advances.

*(6.34.) MR. KEAY (Elgin and Nairn): Before you reply, Sir, on the point of order, may I supplement the right hon. Gentleman's remark with another, which strictly affects the present clause—that this clause in the three last lines contains, as I shall show, if your ruling permits, two gross mis-statements of fact. In the first place, the advances from the Consolidated Fund cannot be temporary; and, secondly, it is provided that every such advance shall be re-paid to the Consolidated Fund out of the Guarantee Fund which is simply an arithmetical impossibility, for the reasons shown by my hon. Friend.

THE CHAIRMAN: The point of objection taken by the right hon. Gentleman seems to be a good one. As I understand the figures to which the hon. Member for Northampton refers they have relation to Clause 6, Sub-section 3, and on that would come the opportunity to raise the question. The point arises out of the re-issue of money which has been received in repayment of capital advanced, and it will not be in order to discuss that re-issue until we come to the clause dealing with it.

(6.38.) The Committee divided:—Ayes 247; Noes 126.—(Div. List, No. 142.)

Clause 2.

(6.53.) MR. SEXTON: I wish to move an Amendment to line 5, after the word "moneys" to insert the words "except as hereinafter mentioned."

MR. T. M. HEALY: Before my hon. Friend does that I should like to ask the Chief Secretary what is meant by the words "under the prescribed regulations." These may be matters of great importance. If the Government will undertake that the regulations shall be laid before Parliament in the usual way, there will be no objection, but practically the Treasury will be free to make any regulations they please.

MR. A. J. BALFOUR: I think the hon. and learned Gentleman will see that Sub-section 2 of Clause 9 meets his point.

MR. T. M. HEALY: Yes; but in that sub-section the reference is to "rules." If by "regulations" you mean rules, and will alter the word, that will meet the point.

MR. A. J. BALFOUR: It would be well to substitute "rules" for the word "regulations."

Amendment proposed, in line 4 to leave out the word "regulations" and insert the word "rules."

Amendment agreed to.

(6.56.) MR. SEXTON: I beg to move in line 5, after the word "moneys," to insert the words "except as to the percentages hereinafter mentioned." The clause provides that a Land Purchase Account shall be established to which shall be carried all moneys received on account of any purchase-annuity for the discharge of an advance, and from this provision the object of my Amendment is to except the county percentage of 5s. per cent. I do not see why this should be paid into the Guarantee Fund. The Stock you create costs you 2¾ per cent., and the Sinking Fund 1 per cent., together 3¾ per cent., and you have nothing else to provide for but the current dividend and the Sinking Fund. Why then add another ¼ per cent.? The required 3¾ per cent. is sufficient without it, and I consider it a purely arbitrary exaction. I want some explanation of the reason why this is exacted. However, if the Government insist on levying this ¼ per cent, then I come to the object of this Amendment. Why should this ¼ per cent., which is called the county per centage, be carried to the Land Purchase Account, which account will be sufficiently filled if it receives the 2¾ per cent., with 1 per cent. for the Sinking Fund? I propose that instead of this ¼ per cent. being carried to the Land Purchase Account it should be carried to a separate and independent account, to be applied as I will presently state. Your Guarantee Fund is precedent to the issue of Stock, but this is something subsequent—is a matter entirely foreign to the Guarantee Fund, and should find no place in it. Your Guarantee Fund is complete without it. I seriously ask the right hon. Gentleman what is the utility of his proposal? It is unjust that money contributed wholly by occupiers should be divisible partly among landlords. No farmer will feel the benefit of this county percentage. Will the Chief Secretary say that its distribution will produce any appreciable effect, or that any county ratepayer will feel himself better off in consequence of it? I believe that this clause, however, can be made into something that will confer a notable and memorable benefit upon Ireland. As the clause stands now the county percentage will sink into the sand. If the right hon. Gentleman the Chief Secretary is unwilling to leave this out of the Guarantee Fund, let him put it into that fund first and then, if it is not wanted there, let it be added to the Fund for the erection of labourers' cottages. The Labourers' Acts have hitherto failed in their effect. A contribution was given to us last year for the purpose of erecting cottages, and we had some hope that the Exchequer contribution would be available for some time for the purpose. Now you are going to lock this money up for five years, and, therefore, the labourers will be deprived of any chance of the continuance of the £40,000 you agreed to give us last year. The Guarantee Fund can do extremely well without this paltry £2,500 a year, and I would therefore urge the right hon. Gentleman to allow it to pass into the fund at the disposal of the Lord Lieutenant to be by him divided, as if it were Probate Duty, among the various Poor Law Guardians. I think the farmers would not object to this, and the labourers would bless you for it. The expenditure of this sum of money in this way would create a most happy, salutary, and memorable change throughout Ireland. It is as true to-day as it was formerly, of the Irish labourers, that they are not only the worst clothed and the worst fed, but the worst housed men in Europe.

Amendment proposed, in page 2, line 5, after the word "moneys," to insert the words "except as to the percentages hereinafter mentioned."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

(7.7.) Mr. A. J. BALFOUR: By this Amendment the whole question of county percentage is raised. It is alleged that some injustice is done to the Irish tenant by not giving him full advantage of English credit. I consider that full justice is done by the Bill. The payment will be made, in some cases, by the tenant, and in some cases by the landlord; probably in more cases by the landlord than by the tenant. If the tenant thinks only of the amount of the annuity he has to pay in lieu of rent, and will bargain with his landlord on that consideration alone, I imagine that probably it will be the landlord who will pay the 5s. per cent., and not the tenant. Do not, at all events, let anyone assume too rashly that the party to the bargain who will pay this will be the tenant. I have to ask whether it really is unjust that we should ask those to whom we lend British credit to use part of the great boon bestowed upon them for purposes outside their own special requirements. Many important Members of the House not only agree with me in this, but think I have not gone nearly far enough. The right hon. Gentleman the Member for West Birmingham, and many others who do not agree with him in politics, are of opinion, not that I have given too much to the Local Authorities, but that I have not given enough, and have too rigidly confined the advantages to the class of the landlords, and the class of the tenants. The course adopted in the Bill, I think, best meets the equities of the case. The hon. Member says, "After all, the boon you have given to the Local Authorities is so trifling that it may be ignored." I am not sure that that is the case. It may almost be regarded as a fee to the Local Authorities for the collection of the annuities. It gives them an interest in collecting the annuities—an interest far greater than is given to any agent in Ireland in the collection of rents—and I cannot admit that that boon is of the insignificant and contemptible character stated by the hon. Member.

Mr. SEXTON: It will only amount to 1d. in the £1.

Mr. A. J. BALFOUR: Well, even so. I do not know what Irish ratepayers think, but in England we do not regard 1d. in the £1 as insignificant. Does the hon. Gentleman wish to withdraw this 5s. per cent. altogether from the guarantee? Does he wish that if there be a default in the locality the locality should not suffer? I think that would be bad in every way. I entirely agree that we should, as far as lies in our power, associate the Local Authorities with the punctual payment of the annuities. If the hon. Gentleman's proposal were accepted, and we were to divorce the localities and the payment of annuities, we should leave the localities animated by the dread of losing their share of the Guarantee Fund, and nothing else whatever. For these reasons I do not agree with the earlier part of the speech of the hon. Gentleman. But he concluded by making an appeal which really assimilates itself far more to the proposal we have in the Bill than it does to the proposal in the earlier portion of his remarks. I do not see how the hon. Gentleman's proposal materially differs from the proposal in the Bill. He says, "I will show you a plan that will confer a great boon on the labourers in Ireland, and one which the farmers will not grudge." I thought he was about to propose a plan which had entirely escaped the notice of Her Majesty's Government.

MR. SEXTON: Under the Bill it is only at the discretion of the Lord Lieutenant, by exemption from the rule, that the money is to be spent on labourers' cottages. I want to alter that, and make it the rule and not the exception.

MR. A. J. BALFOUR: Quite so; but the hon. Gentleman said there was to be some enormous benefit given to the labourers, and I do not think that that would be the case. Our own idea was that whenever the Local Authorities showed a desire to spend the money on labourers' cottages, it should be given to them for general purposes; but that where the Local Authorities did not show this desire, the Lord Lieutenant should earmark it and say that it should be devoted to this purpose. I believe that there would be very little difference indeed between the hon. Gentleman's proposal and our proposal. I have no doubt that under our proposal labourers' cottages will be erected in those Unions where the Guardians object to erecting them at present, whilst there will be no need for them in the Unions where the Guardians have exerted themselves to erect such cottages.

MR. SEXTON: For my part, I should not wish to see any part of this money thrown away on Unions where they are not willing to devote it to the building of labourers' cottages.

*(7.17.) MR. MAHONY (Meath, N.): The hon. Member for West Belfast will will not be surprised if I say that I cannot support this Amendment, because I have two Amendments upon the Paper which I think would make the Bill more effective than the present Amendment, which only, so far as I understand it, provides that the money shall not pass through the Land Purchase Account. I do not think it matters very much whether the money passes through that account or not, so long as it ultimately comes into the possession of the Labourers' Cottage Fund. The tenants in Ireland are quite intelligent enough to be able to calculate how much they will have to pay at so many years' purchase, and therefore it will be no direct benefit to them to reduce the instalments to 3¾ per cent., because if it remains at 4 per cent. they will not be prepared to pay quite so many years' purchase. But there is a direct reason why you should give this small amount of 5s. to the labourer. They are part of the community who will have to guarantee payment year by year of the 4 per cent. I heard an hon. Member allege the other night that the labourers would not have to guarantee 4 per cent., but he was in error in the matter, for he assumed that persons occupying holdings of under £4 valuation do not pay county cess. It is true they do not pay poor rates. The landlord has to pay those, but they do pay county cess, and are liable for it as much as any other class of occupiers; and if there is any default in the payments under this Act, it is by means of an extra payment to the county cess that it will be made good. Therefore, the labourers will have to contribute towards this; and I say that, under those circumstances, they have a special claim to consideration. They are in the same position as tenant farmers, save that the latter have a chance of securing benefit by purchasing these holdings, whereas the labourers have not. The labourers have a special claim to get this 5s. My hon. Friend says it will be a trifling amount, but if the whole £30,000,000 were expended it would be £75,000 a year, which would hardly be a trifle. I think we may press on the Chief Secre-

tary to make some concession on this point. I ask that instead of throwing the onus of proof as to whether the money is required for building labourers' cottages on the locality we should assume — what everybody who knows Ireland is willing to assume—that there is no district in the country where labourers' cottages are not wanted. Let us leave it to the ratepayers to show that the money is not wanted for this purpose, and to apply, if they think it necessary, to the Lord Lieutenant for power to spend the money in relief of the rates. If no such application is made, I ask that the money shall be used for the erection of labourers' cottages, and for no other purpose. The Chief Secretary could give this small amount of money out of the Guarantee Fund, and do so without any risk to the British taxpayer. I hope he will seriously consider the matter.

(7.25.) Sir G. CAMPBELL: I must say that I view with great apprehension what has happened to-day. The hon. Member for Cork made a speech in Ireland yesterday and said that Irish traitors refuse to take British money when they have the chance. That may have an effect on the people of Ireland, and the English people may think with the hon. Member that the Irish Members have now the chance of taking British money. These hon. Gentlemen get up to-day and say, "We want your money, but what we object to is the provision for its repayment. We object to the repayment coming from Irish pockets." It seems to me that this ¼ per cent. is the only real assurance we have for the repayment of this money. There are likely to be some bad debts, and this amount will go to make them good and to recoup the British taxpayer to the extent of 2¾ per cent. This ¼ per cent. will be security against bad debts, and if it is not wanted for that purpose it will go to the improvement of the cottages of the Irish labourers. I do not like the friendly approximation we see between the Chief Secretary and hon. Members below the Gangway on this side of the House, who have just voted for the 1st clause. The Chief Secretary says, "The first part of the speech of the hon. Member for West Belfast I do not accept, but the second part does not seem to be so bad." He seems inclined to give up the security for the payment of Irish debts in order to devote it to Irish local purposes——

Mr. A. J. BALFOUR: Nothing of the kind.

Sir G. CAMPBELL: We hear that when a certain class of people differ, honest men come by their rights. May not the converse of that happen; and that if a certain class of people agree together, honest men will be deprived of their rights? I hope the Committee will insist on retaining this small Irish security for the repayment of these loans.

(7.28.) Colonel NOLAN (Galway, N.): I do not deny that the hon. Member who has just sat down is an honest man, but I am sorry he compares us to people who are not quite honest. However, the courtesy of the hon. Member is well-known, and I pass from his courtesy to his argument. I would point out that Irish credit has been pledged for the benefit of the English Empire over and over again. Our credit is pledged with yours in India; and although you benefit, it has been computed, to the extent of £14,000,000 a year by the possession of India, we derive no benefit at all. We ask in return for the pledging of our credit in this and other directions that we in Ireland should derive some slight benefit from British credit. Passing from the hon. Gentleman's speech I will deal with the Amendment. It is a double-barrelled one, the hon. Member seeking with the left barrel to bring down the small tenant in the West of Ireland, and with the right barrel to bring down the labourer in the South of Ireland. There are not many of either class, but I think we are at some disadvantage in discussing an Amendment which has this twofold object. I should have preferred to take each object separately. However, they are both very good. The hon. Member says the tenants should get the loans at £3 15s. interest. There is a large sum of money given from the Probate Duty to Ireland; and before the Imperial credit would come in, the whole of this Probate Duty could be come upon, consequently the Government could very well afford to allow the tenants in Ireland to buy their lands at the rate of £3 15s. per cent. I have an Amendment dealing with small tenants only, but I will take the case of the whole of the tenants, and I think it is a great mistake to endeavour to tax them for the benefit of any other class of the community by putting on this extra 5s. I think they ought to get the money at the cheapest rate at which the Government can give it. What I chiefly object to is that this 5s. fund combines the two characteristics of a Guarantee Fund and a Benevolent Fund. It ought to be either a Guarantee Fund, when the Guarantee Fund would come back to the tenants, or it ought to be a Benevolent Fund upon which the Poor Law Unions and the neighbours ought to be able to reckon. I think it is highly disadvantageous for every one concerned. It is bad for the State, because it prevents bargains being made, and also bad for the landlords, because it stops bargains; but it is worse for the tenants, who have to pay 5s. more. It will be ultimately, no doubt, borne partially by the tenant and partially by the landlord, but at first the burden will fall chiefly on the tenant. In this way, I think, this is a most objectionable part of the Bill. As regards the case of the labourers, they ought not to be set against the farmers; and, as in my own part of the country, the farmers are nearly all small farmers, and they are intermingled with the labourers in many ways, this proposal of the Bill is particularly objectionable. What this Bill ought to do for the labourers is to give them facilities for acquiring land. That I do not think the Bill adequately provides for at present. But the labourers ought not to be benefited by a tax under this Bill as against the farmers. The worst of all, however, is that they are to be benefited by an uncertain tax, which will prevent them from getting some other benefits. It will be argued that the labourers pay some county cess to the Guarantee Fund, but we know they pay an almost infinitesimal amount of county cess, so that the actual contribution under the Bill is very small. The labourers pay a good deal in the shape of taxes on alcohol, tobacco, and tea, and if the labourers are to benefit at all, it should be out of the Imperial Funds to which they are larger contributors. As a class they pay far more for Imperial purposes than rich men, and I personally would like to see all reference to labourers struck out of the Bill so far as surplus money is concerned, and I should like to see introduced facilities for the acquisition of half an acre or an acre of land on the same terms as the farmer buying 100 acres. I hope the Government will re-consider the case, and will seriously consider the point whether it would not be far better to strike out altogether the extra 5s. and let the tenants have the land for £3 15s. per cent.; or if they cannot do that, at any rate, when the Guarantee Fund is satisfied, let the 5s. be refunded. On the whole, I am inclined to support the Amendment of the hon. Member for West Belfast (Mr. Sexton), because it is an Amendment that depends entirely upon how it is looked at. The actual wording is rather difficult to follow, but I interpret it in the shape in which I have endeavoured to put my remarks. I look upon this as the most important part of the Bill, but one upon which the Government have gone wrong.

(7.40.) MR. MACARTNEY (Antrim, S.): The hon. Member for West Belfast lays great stress upon the Amendment; but if that is so, and if he considers that very great benefits would accrue from it, I think it is a matter of great regret that it was not placed on the Paper. The hon. Member will know from experience of this House that it is a very awkward and inconvenient thing to propose in manuscript an Amendment upon which any hon. Member relies. If it is desired to obtain a very important alteration in a clause, certainly it is much more convenient that hon. Members should have an opportunity of judging clearly its effect. I have listened to the argument of the hon. Member, and, in the first place, I do not agree that his Amendment would make much alteration in the bargain to be arrived at between tenant and landlord. I do not think it would be of that great benefit to the tenant which some hon. Members opposite seem to think. I fancy, if this 5s. were struck out altogether, it would only result in the landlord and tenant coming to an agreement on a slightly different basis, which would end, in all probability, in the tenant paying a higher price for his land. So far as the Amendment regards the labourer, I have listened to what the hon. Gentleman has said, and I cannot see that the alteration which he proposes in the machinery of the clause will lead to any material benefit to the labourer. If it did I should be extremely glad to join him. It is my opinion that the benefits conferred on the labouring population of Ireland in the Bill are extremely minute. I regret much that the Government have not been able to see their way to make them more effective. Everybody seems to have his own little plan to improve the Bill in that direction, and possibly before the end of the Committee I may venture to offer a plan, which I think will, at all events, place a more effective sum at the disposal of the Government and the Local Authorities for the benefit of the labourers. If I felt convinced that the alteration proposed was a really effective alteration in the direction of conferring a much larger material benefit or placing a much larger sum at the disposal of the authorities for the labourers, I should vote for it, but I cannot see that the distinction is very great, and I shall therefore support the clause as it stands, hoping before the Committee comes to an end to do something in a more material way to amend it.

*(7.44.) MR. SHAW LEFEVRE (Bradford, Central): The proposal of my hon. Friend the Member for West Belfast (Mr. Sexton) is one which has my cordial approval. It seems to me that this 5s. out of the £4 which is to be handed over first to the Guarantee Fund and then to be devoted at the discretion of the Lord Lieutenant to labourers' cottages is very important. For my part, I should like to see it a larger amount; and if the Government had been inclined to support the Amendment of my right hon. Friend the Member for Wolverhampton (Mr. H. H. Fowler), this fund would have been increased by £75,000 a year. I am sure my hon. Friend the Member for West Belfast is justified, from his point of view, in moving his Amendment. He proposes, I understand, that the tenant should be paid the sum of 5s. per cent. out of the £4.

MR. SEXTON: I did not put that forward. I only mentioned it casually.

*MR. SHAW LEFEVRE: I entirely agree with what the Chief Secretary has said, that this is not a reduction from the tenant, but rather from the landlord. My impression is that if the tenants paid $3\frac{3}{4}$ per cent. the landlord would get rather a larger price for the purchase than he otherwise would do if political economy—and I am afraid it does not—prevailed in Ireland. The importance of the clause as it stands is this: The 5s. out of the £4 goes to the Guarantee Fund for the security of the English taxpayer beyond the amount of the instalments; secondly, it gives a bonus to the labourers; and, thirdly, it associates public opinion in Ireland with the payment of these instalments. Now, all these objects seem to me well worthy of assistance, and I should be very unwilling to see the Bill altered in this respect. If, therefore, my hon. Friend means that the 5s. should not pass through the Guarantee Fund, then I, for my part, could not support the Amendment. If, on the other hand, he means that the discretion to the Lord Lieutenant as to labourers' cottages should be more mandatory, I should be willing to support him.

MR. SEXTON: I am willing to agree to the point that the money should pass through the Guarantee Fund, and that, on being released from that fund, it shall be applied directly to the purpose specified.

(7.50.) MR. T. M. HEALY: I understand that this 5s. is to be disposed of according to the principle on which the Probate grants are now made. I have two or three times raised the question, and certainly I shall move the omission of the words when we come to that part of the Bill, because a more mischievous way of distributing money I have never known. I think the Government would do well to accept the Amendment at this stage. Now, this 5s. per cent. over the whole £30,000,000 will amount to £75,000 — or £2,500 for every £1,000,000 paid out. The Government, by their present attitude, are really refusing practical benefit to the labourer. The labourers in all the provinces of Ireland, except Ulster, have used the Labourers' Act, but in Ulster it has not been put into operation at all; and the result will be that the Lord Lieutenant will make an Order which will benefit the Orange districts, where the Labourers' Act has not been put in operation at all; while the labourers in other parts of the country, where the Act has been used, will gain no benefit whatever. In other words, you will be able to take advantage of your own wrong. The result will be that the Lord Lieutenant will use this provision for the Province of Ulster, and Ulster alone. I therefore think my hon. Friend is well advised in moving his Amendment at this particular stage. I wish to make a remark in reference to what was said by an hon. Gentleman in regard to the speeches—he said "the very important speeches"—delivered in Ireland by the hon. Member for Cork. I would venture to assure him that they have about as much influence in that island as the speeches of the hon. Gentleman himself have in this House. The only other remark I have to make is this: that they attract as much attention as the speeches of the respected Grand Master of the Orangemen about whom a question was asked to-day.

MR. SEXTON: The Amendment in its present form is quite consistent with the use of the Guarantee Fund. The money may be kept out of the land purchase account, and yet may come into the Guarantee Fund.

(7.55.) MR. KNOX: I venture to think that there is no reason why some arrangement should not be come to between both sides of the House. The hon. Member for North Antrim, for instance, was largely in sympathy with the object of my hon. Friend the Member for West Belfast. My hon. Friend's Amendment would leave the county percentage as before, but it would ensure that it would go to the labourer, there being little security at present that it will go in that direction. If real benefit is to be conferred on the labourer in Ireland, the sum should go to him directly. The Government have ample guarantees in the latter part of the measure in the Irish Probate, and in the Exchequer contribution. Suppose the Lord Lieutenant ordered that the county percentage should be devoted to the erection of labourers' cottages, you would have no guarantee, nothing really that would make the farmer more anxious to pay his instalments. It would not hurt the farmers to find the labourers in cottages like pig styes. Therefore, we say there is no real guarantee. We urge the Government, if possible, to accept this Amendment, and to provide that this money shall go directly to the labourer. We think he ought to get some benefit under this Bill. So far he has reaped but little advantage from Irish land legislation. But the Government propose that the money shall be ladled first from the tenant's pocket into the land purchase account and thence into the Guarantee Fund, and it will be only after a considerable lapse of time that it can reach the labourers. The object of this Amendment is to make it certain that the labourer will get this not inconsiderable sum which, if it is employed as we suggest, will effect a great and beneficial change on the face of Ireland. If the Amendment is not carried it is evident the labourer will get nothing at all.

(8.3.) MR. MACARTNEY: I am as anxious as hon. Members opposite that this money shall go direct to the labourers. I understand the contention to be that it should be withdrawn from the cash portion of the Guarantee Fund and go directly to that fund over which the Local Authority has control. Now, that is a matter entirely for the Government and the Representatives of the British taxpayer to settle. For myself I am quite prepared to agree that this $\frac{1}{4}$ per cent. shall go directly into the hands of the Local Authorities to be applied to the erection of agricultural labourers' cottages in Ireland.

*MR. MAHONY: May I point out there will be really no risk to the British taxpayer if this money does go direct to the Labourers' Fund, because if the county percentage is not paid the person who will be the sufferer will be the labourer. The money is not due to the State; what is due to the State is the $3\frac{3}{4}$ per cent. I hope that the Government will grant this small concession.

MR. T. W. RUSSELL (Tyrone, S.): It is rather inconvenient to discuss an Amendment which does not appear on the Paper. I can state my objection in a couple of sentences. This is not a labourers' Bill, but a measure for the creation of an occupying ownership in Ireland. I am not prepared to nibble here and there at the securities provided in the Bill, and, therefore, I support the clause as drawn. At the same time, I believe the labourers will reap great advantage under the clause.

(8.6.) Mr. LABOUCHERE: I cannot agree with my hon. Friends that this is not, to a certain extent, covered by the advances. Unquestionably, this £75,000 per annum is part of the compulsory Guarantee Fund. What I would suggest is this: If they wish it to go directly to the labourers instead of to the county there will be no objection, so far as I can see, from the standpoint of the British taxpayer, but it must be provided there is no default anywhere.

Mr. T. M. HEALY: We have now had an expression of opinion from the most watchful guardian of the British taxpayer. I really think the Government might make some little concession on this point. The hon. Member for South Antrim is in favour of our proposition, so is the hon. Member for Northampton. Of course, the Government are not in the habit of taking notice of what the hon. Member for South Tyrone says, so there is nobody in the House of any account against our Amendment. The Chief Secretary treated the County Board, the Grand Jury, and the Board of Guardians as if they were composed of persons who were the safety-valves of the successful working of the Act. He seemed to have an idea they would have a temptation to see that no fault was made. But I venture to say that if a man knew a neighbour was about to make default, the infinitesimal loss which would thereby accrue would not cause his remonstrance to amount to sternness. The right hon. Gentleman spoke as if everybody would be watching the operation of the purchase system in the same way as a gardener watched the growth of a new plant. Why, that is absurd. I could not understand what the hon. and gallant Member for Galway was aiming at. He seemed to argue that the labourers ought to get nothing under this Bill. He seemed to say that in his district there were no labourers, but that they were all small farmers. Well, my point is that the labourer does not get a sufficient advantage, and I appeal to the Government, as there is considerable discontent in Ireland as to the distribution of the Probate Duty, to concede this direct benefit to the labourer—a benefit which would be real and substantial, while causing infinitesimal loss to the farmer and to the rates.

*(8.12.) Sir J. COLOMB (Tower Hamlets, Bow, &c.): I cannot see that a case has been made out for the Amendment. The amount of money which would be placed at the disposal of Boards of Guardians would be so small that scarcely any cottages could be built. I sympathise with the agricultural labourer in Ireland; but if we intend to confer any substantial benefit on him under the Bill, it should be in a direction that is practical and not theoretical. I am strongly of opinion that labourers occupying cottages under the Board of Guardians should be allowed to purchase; but I think it is unnecessary to tamper with the financial arrangements of the Bill, especially when there has not been placed before the Committee any reason showing that there will be any substantial benefit conferred on the labourers.

(8.14.) Colonel NOLAN: I am sorry the hon. Member for North Longford failed to understand my point. I think if the labourers are to get any benefit they should be allowed to purchase their holdings, but I do not think a tax should be put upon Consols for their benefit. The hon. Member in one of his speeches said the arguments of the hon. Member for Cork would have no weight in Ireland. I will not say what the general effect is, but I know that in the Counties of Roscommon, Mayo, and Galway they will have great weight on the smaller tenants. I have just had an opportunity of speaking to a local gentleman, who——

The CHAIRMAN: Order, order! The Committee had better attend to its own business.

(8.16.) Mr. SEXTON: I venture to point out to the hon. and gallant Officer opposite that his Amendment does not merely confer a theoretical benefit; the benefit it confers is of an extremely practical character. The £75,000, which would be the amount available when the full £30,000,000 is advanced——

Mr. T. W. RUSSELL: When will that be?

Mr. SEXTON: I hope very soon. The £75,000 will be sufficient to erect 1,000 cottages per annum. It appears to me that the Chief Secretary's object in regard to the county percentage is substantially the same as that of the Irish Members; and, if that is so, I do not see why the right hon. Gentleman should object to have it stated in the Bill. I would, therefore, propose that the clause be amended by providing that the money in question shall be applied towards the cost of erecting labourers' cottages under the Labourers' Cottages (Ireland) Acts, subject to such regulations as the Lord Lieutenant may think expedient. I will go further. If the right hon. Gentleman thinks the Lord Lieutenant should have a more general discretion as to the application of the money, I will not make it a mandate that the money shall be applied in a particular way. But anyone who knows anything about the condition of Ireland must be aware that the great bulk of the agricultural labourers are miserably housed, and are yet paying intolerably high rents, and, therefore, for many years to come this money could be most usefully employed.

*(8.21.) Mr. MAHONY: If the Chief Secretary falls in with that suggestion it will preclude the necessity of my moving several Amendments which stand in my name.

(8.22.) Mr. A. J. BALFOUR: There were originally three questions before the Committee. The first was whether this money should form part of the Guarantee Fund. I understand that the hon. Gentleman does not press that. The second question has never been clearly stated, but I think it was whether this 5s. should be put into a common purse for the whole of Ireland or be distributed only in the county in which the holding is situated. I do not think any change is possible in the Bill in that respect. I hold that the county in which the sale takes place is, ought to be, and must be, the county to derive the benefit from the 5s. The third question is as to whether the whole money should be given for the purpose of erecting labourers' cottages, or whether some discretion should be left to the Lord Lieutenant, who is the Executive Government, as to how it shall be used. I take it the Debate is now narrowed down to one point, and I think I can show the Committee reasons for preferring the present form of the Bill. I agree with everything that has been said in favour of substituting tolerable houses for the miserable hovels in which many labourers at present live in Ireland, but I think that every one acquainted with the condition of Ireland will admit that to do anything to make the number of labourers in a district in excess of the employment to be obtained there would be most disastrous to the labourers themselves. A careful eye must be kept on the needs of the district, and public money must not be used for the purpose of encouraging labourers to remain there.

Mr. SEXTON: The Local Government Board Inspector will do that.

Mr. A. J. BALFOUR: The point of the hon. Member is that the whole of the money must be spent on labourers' cottages and within the county. I can conceive cases in which the erection of large numbers of cottages would be a serious evil in the county in which they may be built. I agree that there is probably no county in Ireland in which a considerable sum might not with advantage be spent in that way. That, however, is a different thing from putting a provision in the Bill compelling a sum of £75,000 to be spent annually for that purpose. I cannot agree to earmark the money in this way. There is no danger that the Lord Lieutenant, who through the Chief Secretary is subject to the will of the House, will not do his best to see that the money is spent to the utmost advantage and for the benefit of the labourers. I think he will have the strongest possible motive for using it for the erection of labourers' cottages in every county in which such cottages are required. Therefore, I think there is no necessity for a change in the Bill.

*(8.27.) Mr. MAHONY: I think we are all practically agreed, but I fear the Chief Secretary has not quite appreciated the object of the Amendment. It is that Clause 2 presumes, in the first place, that the money is to be used for the reduction of the county cess and poor rate, save where it appears to the Lord Lieutenant, on the representation of the Local Government Board, it should be applied to the erection of labourers' cottages. The presumption, then, is that it is not to be applied to the erection of labourers' cottages unless a special case can be made out. We want the presumption to be the other way. We do not object to giving the Lord Lieutenant power to apply the money to the reduction of the county cess if it can

be shown there is no necessity for labourers' cottages in the county. All we want to do is to reverse the order of this clause, and to avoid the necessity of incurring the expense of making application to the Lord Lieutenant. We want to secure the money without expense. There is one other alteration I would suggest to the Chief Secretary, and it is that there should be power, under the direction of the Lord Lieutenant, to use this money not only for the purpose of erecting new cottages, but for the purpose of paying the annual instalments on cottages already erected.

(8.31.) Mr. T. M. HEALY: What we suggest is that the right hon. Gentleman should reverse the order of things; that is to say, that the presumption should be that the money should go to labourers' cottages in the first instance, and in the second case be diverted to the relief of local taxation.

(8.32.) Mr. A. J. BALFOUR: I prefer the clause as it stands, but I shall be glad to make a concession on this point. Hon. Gentlemen have given up their ideas on several matters, and I should be glad to join hands on the suggested terms, namely, that this money should not necessarily be applied to labourers' cottages in cases where it is not required, but that the clause should be so framed that the presumption should be in the direction of so applying it.

Mr. SEXTON: On that understanding I ask leave to withdraw my Amendment.

(8.33.) Mr. CONYBEARE (Cornwall, Camborne): We are not all agreed about this matter. There is one important individual who has not been consulted at all, and that is the British taxpayer. I regard with great suspicion every attempt to devote any money, whether it comes from——

The CHAIRMAN: I understand the hon. Member for West Belfast wishes to withdraw his Amendment, so as to leave this fund primarily in the Guarantee Fund.

*Mr. MAHONY: Are we to understand the right hon. Gentleman agrees that this money may be used for the purpose of paying off some of the intalments on cottages already erected?

Mr. A. J. BALFOUR'S answer was inaudible in the Gallery.

Amendment, by leave, withdrawn.

(8.35.) Mr. T. M. HEALY: In the absence of my hon. Friend (Mr. Chance), I beg to move, in Clause 2, page 2, line 9, after "(*a*)" to insert—

"In paying to the Labourers' Dwellings Fund hereinafter established a sum equal to the difference between the nominal value of the Guaranteed Land Stock purchased by the National Debt Commissioners and the price paid by them therefor."

The object of the Amendment is that in case the National Debt Commissioners are able to purchase the Stock at 98, and so to make a profit of £2 on each £100, the profit should go into the Labourers' Dwellings Fund. The Chancellor of the Exchequer has stated that the Government do not desire to make any profit by the transactions, but it is clear that if the Stock is depreciated there will be profit somewhere.

Amendment proposed, in page 2, line 9, after "(*a*)" to insert the words—

"In paying to the Labourers' Dwellings Fund hereinafter established a sum equal to the difference between the nominal value of the Guaranteed Land Stock purchased by the National Debt Commissioners and the price paid by them therefor.—(*Mr. T. M. Healy.*)

Question proposed, "That those words be there inserted."

Mr. GOSCHEN: It is quite true that the Government do not desire to make a profit; but the real point is, how the Sinking Fund will stand. It may happen that the Government or the National Debt Commissioners may not be able to invest the money without loss. The hon. Gentleman need not be afraid; this balance will simply be used in the redemption of so much more Stock.

(8.37.) Mr. T. M. HEALY: I will withdraw the Amendment; but will the right hon. Gentleman undertake that, in case there is an appreciable profit, we may have a claim to devote the profit to some purpose connected with Ireland?

(8.38.) Mr. GOSCHEN: The hon. Member is putting this claim forward in the interest of Ireland 49 years hence, but the interest of the British taxpayer 49 years hence should not be lost sight of. The Government will consider whether, if after the whole operation, there be a surplus, the surplus may not be applied to Irish purposes. It is certainly not the intention of the Government to make one atom of profit out of the transaction.

(8.39.) MR. CONYBEARE: I am exceedingly relieved to hear that the right hon. Gentleman has not altogether forgotten the existence of the British taxpayer. What I and many others contemplate is that these operations will land the country in great loss, and we do not view with equanimity a proposal that whatever profit there may be on the Chancellor of the Exchequer's Stock-jobbing transactions, should inure to the Irish tenant, but think it should inure to the British taxpayer.

MR. SHAW LEFEVRE: I do not agree with my hon. Friend. I think if there is a profit it ought to go to the Irish people. They have to bear any loss, and, therefore, they ought to receive the benefit of any profit.

Amendment, by leave, withdrawn. (8.40.)

*(9.16.) MR. MAHONY: The Chief Secretary has made a concession which will render it unnecessary for me to press the Amendment which stands in my name, and I only want the Attorney General for Ireland to consider this matter before the Bill reaches Report stage——

(9.17.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*(9.19.) MR. MAHONY: There is no necessity for me to press my Amendment, owing to the concession made by the Government, but I suggest, the consideration of this further concession before the Report stage is reached, that in any county where the Lord Lieutenant decides that such percentage is not required, he may have power to apportion, in that particular county, any part of such sum in any way he thinks fit, for the reduction of annual payments in the case of houses already erected under the Labourers' Dwellings Act. My reason for asking this is that I know as a positive fact that there are many districts in Ireland where the instalments necessary on the erection of labourers' houses are a very heavy payment. It is all very well to provide labourers with better dwellings than they formerly occupied, but I am not at all sure that when a man can hardly earn the money to supply his family with food, he appreciates this benefit he has to pay for; and if this money is not required in any particular county for the erection of new buildings, then the Lord Lieutenant should have power to apportion the money for the reduction of instalments on this account.

MR. T. M. HEALY: I think it was understood that, having this substantial concession, we should proceed to make progress.

(9.21.) MR. A. J. BALFOUR: The Amendment which I would suggest to carry out the pledge I gave earlier in the proceedings, would be to omit the words after "advance," in line 14, down to "that," in line 19. Perhaps I had better read the sub-section as it would read when amended—

> "In paying to the Guarantee Fund an annual sum (in this Act referred to as the county percentage) at the rate of every 5s. for every £100 of the advance, the whole or any part of such percentage not required for the purposes of the Guarantee Fund shall be applied to erection of labourers' dwellings in the county wherever such holdings are situate under the provisions of the Labourers (Ireland) Acts, subject to such regulations and terms as the Lord Lieutenant may think expedient, save where it appears to him, on the representation of the Local Government Board, that the whole or any part of such percentage should not be so applied he may order it to be applied as if it were part of the Irish Probate Duty grant, and subject to such regulations as he thinks expedient he may withhold or suspend the distribution of the whole or part of the said percentage when paid to the Local Taxation (Ireland) Account."

As a preparatory Amendment, I would move the omission of the words from "which," in line 14, to "that" in line 19.

(9.23.) COLONEL NOLAN: I have an Amendment to propose before that. It is necessary, before we proceed to the Amendment of the right hon. Gentleman, that this should be first considered. The object of my Amendment has relation to the small tenants, and I fix the limit of those at £15, because in other Acts I observe that has been adopted as a limit, though I attach no importance to that exact limit; it may be fixed at £10 or £20. I will accept any limit to the large number of tenants between £1 and £20. My object is to provide that the annual payment to the Guarantee Fund shall be at the rate of 1s. for all holdings paying a purchase annuity under £15. I may say that in the West of Ireland, at all events, with which part of the country I am best acquainted, the great bulk of the tenants have holdings ranging in value from £1 to £20. I do not think that these people should pay any tax or contribution to any account beyond what they pay at present. I think that above all classes in the community these are the people who should be made peasant proprietors. One reason is that these very small tenants are so very much more numerous, and if our great object is to solidify society, and the peasant proprietor class in Ireland, then this can be accomplished to a much larger extent and by the same expenditure where you deal with 50 tenants of £4 than with one tenant at £200. Now of the £30,000,000 these small tenants, though so much more numerous than the large tenants, will have the benefit of £6,000,000 or £8,000,000 only, the larger tenants will have the great bulk of the advances. For the advantage it will be to the scheme as a whole, I think the small tenants might have the benefit of obtaining money at a slightly lower rate than the larger tenants, and the possible loss to your Guarantee Fund will be extremely small. It cannot, I suppose, exceed at the utmost £20,000. I ask that they should have slightly better terms, £3 16s. on each £100 Stock, £3 15s. to the State, and 1s. to the Guarantee Fund, instead of £4 paid by the larger tenants. You will thus more rapidly solidify the class of small proprietors at a cheap rate, and you will have some lien on their gratitude when they appreciate the advantage of British credit, On the other hand if you demand this extra 4s. they will be entitled to say that they are subjected to extra taxation for local purposes, for labourers' cottages, or the Poor Law or other purposes. They are in fact their own labourers where these small tenancies prevail, so that by this slight modification you would be really taking nothing from the labourers of the district. This is the only Amendment I have on the Paper, and if the Government accept this I will undertake to put no other Amendment down. I attach great importance to the Amendment, and I am sure it will make this Bill very popular among the small tenants to whom it would apply. About five-sixths of this very Guarantee Fund is formed by the tenant purchasers themselves, and my Amendment will not prevent the larger tenants paying to that fund, and I believe that if my proposal is carried it will confer a great benefit on society and on the smaller tenants especially.

Amendment proposed,

In page 2, line 13, after the words "rate of," to insert the words "one shilling for all holdings paying a purchase annuity under fifteen pounds, and for all other holdings."—(*Colonel Nolan.*)

Question proposed, "That those words be there inserted."

(9.32.) Mr. A. J. BALFOUR: I am sanguine enough to think that I can show the hon. and gallant Gentleman conclusive reasons why this particular Amendment shall not be accepted. In the first place this Act is based upon the Ashbourne Acts of 1885 and 1888, where the amount required from the tenant is 4 per cent., and if this relief, as the hon. and gallant Member considers it, were given to the tenant, the only effect would be that 4s. out of the 5s. would be unappropriated and unused. This Amendment would lead to an additional second clause. But ought they to pass such an inconsequential clause? The hon. and gallant Member says that in Galway there are practically hardly any labourers, and that almost the whole of the poorer population are excluded from the operation of this clause, because they are excluded from the operation of the Acts on which the clause is based. It is undoubtedly accurate that in Galway and other counties there are many small tenants. But what would be the result of this proposal? It would be that when the poor labourers were provided for, the whole of this money would go to the mass of the cess payers, and the mass of the cess payers are those whom the hon. and gallant Member desires to serve—the small tenants. He seems to think we are taxing the small tenants. I object to the phrase. What we are doing is to take some 50 per cent. off the rent payable by these small holders, and you can not call this enormous boon in any sense taxing those to whom it is given. The hon. and gallant Member wishes us to introduce the principle of the graduated Income Tax, and to use our credit in a different manner for the poor and for the relatively well to do. I do not think you can adopt that principle. If you did, you would have to give it great development in the Bill. The proposed relief would go more to the mass of the cess payers and to the landlords than to those whom it is intended to benefit, and under all those circumstances I hope that the hon. and gallant Member will not press an Amendment which, in view of the framework of our measure, it would be absolutely impossible to adopt.

(9.37.) COLONEL NOLAN : I certainly admit that this would necessitate the adoption of a consequential clause, but we are not likely to reach the new clauses for—I suppose even the sanguine Chief Secretary would say—at least three weeks, and therefore there will be plenty of time to consider the new clause. I believe that nine-tenths of the benefit that would be given by my Amendment would go to the small tenants. As a general rule, if you give an advantage to any small class of the community, although some other classes reap a certain amount of the general benefit, the bulk of the benefit sticks to the man to whom you give it first. If you let these small tenants off with 1s. per cent. the great bulk of the benefit will stick to them. The Bills drawn in this House have been nearly always framed in favour of the larger tenants. I have always been most anxious to help the larger tenants, but I have often wondered during the last 10 or 15 years at the conduct of statesmen on both sides of the House. For a comparatively small sum of money they could have done a great deal, simply because the same amount goes infinitely so much further in dealing with small than with large tenants. I believe that in the interest of punctuality it would help to let the people see that they were only paying the bare minimum the State could afford to lend them the money for. If this were only a small Guarantee Fund, they would be much more ready to pay up, I think. They will think the interest they pay according to the Bill a very heavy one, and it will act as a deterrent to their paying their instalments with punctuality. I am sorry the Government will not accept the Amendment which is one of great importance, and one which will be heard of a great deal later on if the right hon. Gentleman the Chief Secretary does not make some movement in the desired direction.

(9.42.) MR. M. J. KENNY (Tyrone, Mid): The Amendment will reduce the instalments from the small farmers, and as the hon. and gallant Member said on a previous occasion, that the higher the rate from the Stock, the more valuable it will be, it seems to me that his present proposal is directly in the teeth of his earlier declaration. He is now attempting to undermine the argument he very gravely urged previously, and it, therefore, appears to me that he is trifling with the House. The effect of the Amendment would be to withdraw from the labourers the advantages proposed to be given by the proposal the Chief Secretary gave notice of. In my opinion, we should do nothing on this side of the House which would tend to deprive the tenants of Ireland of the advantages promised at the suggestion of the hon. Gentleman, the Member for West Belfast. But with regard to the Labourers' Act, not being of any advantage to the labourers in towns, I would say that where the Acts have been properly applied in Ireland, the effect has been to withdraw from small towns a considerable nnmber of labourers who were hanging about and idling away their time to the rural districts where they have since led a much better and more useful life.

(9.45.) MR. SEXTON : I think the right hon. Gentleman would do well to consider whether it would be possible, whilst preserving the efficiency of the machinery of the Bill, to adopt some considerate line of treatment with regard to the small agricultural labourer. The right hon. Gentleman should consider whether he could relieve the small holders by making the insurance money less and postponing the payment of it to those paying 20 years' purchase—which will be harder than paying 10 years' purchase. It would be a relief to them to postpone it until five years before the date when the guarantee deposit has to be paid to the landlord, even if they were charged 10 per cent.

(9.47.) MR. MACARTNEY : I desire to warn my right hon. Friend that if at this early stage of the Bill he endeavours to differentiate between the various classes of tenants he will be entering upon a sea of troubles, from which he will find it difficult to extricate himself. There is not an hon. Member, from whatever part of Ireland he comes, who would not have a special grievance for the tenants in his constituency. It would be safer for my right hon. Friend to adhere to the broad lines on which the Bill is now based.

(9.49.) COLONEL NOLAN: If the Chief Secretary will make a difference in favour of these people, as suggested by the hon. Member for South Belfast, I shall be willing to accept the proposal. I do not much care about the manner in which it is given, provided these people do get an advantage. I cannot think that the hon. Member for Tyrone altogether misunderstood my remarks, as his words would seem to imply. It is one thing to say that the higher the rate for a Stock the more valuable it will be, and another to say that the lower the rate of interest the better it is for the tenant. The less the tenant pays on the Stock the better. The foundation of the fallacy in the hon. and learned Gentleman's mind is that he seems to think that there is only one set of interests, whereas there are two. No doubt it would be better if there was only one, namely, the £2 15s. interest. As to differentiating between classes I would point out that we have already done that under the Ashbourne Acts. I think we should regard differently men who pay small sums and men who pay large sums. I am sorry the Government will not accept the Amendment, and that the hon. Member for Tyrone has given it such opposition.

(9.51.) MR. SHAW LEFEVRE: I think the proposal of the hon. Member for West Belfast is worthy of attention in the interest of the small tenants, who should be relieved. I would suggest that when we come to the proper clause there should be some relaxation in the case of small holdings.

*(9.52.) MR. KEAY: The Chief Secretary has not been able to reply on the financial part of this matter, but I think he will be able to reply to a question I would now venture to ask him. The hon. and gallant Member for Galway said that in the West of Ireland there are very few labourers and a great many very small tenants, if you exclude the cities and towns. There will, therefore, be very little direct advantage to the labourers, and the hon. Member wants a corresponding advantage for the small tenants. The right hon. Gentleman's reply to that was very specific. He said that it must be remembered that although there are very few labourers in these poor country districts in the West of Ireland, yet it is also true that the small tenants there get an enormous reduction in the rent of land under the Land Purchase Bill. He said the tenants would have to pay only 50 per cent. in their instalments compared with the rental they now have to pay. We on this side of the House think the landlords have an unlimited power of extortion in forcing up the purchase price, and consequently the amount of the instalment. I want to know on what grounds the right hon. Gentleman has made his statement?

MR. A. J. BALFOUR: My general impression of what land lets for in Ireland.

(9.55.) The Committee divided:—Ayes 5; Noes 202.—(Div. List, No. 143.)

Verbal Amendments made.

*(10.10.) MR. KEAY: The Amendment I have to propose is Clause 1, page 2, line 32, to leave out the words after "Fund"—

> "Provided that where a sum is applicable out of the guarantee deposit for the discharge or reduction of an irrecoverable debt, one half only of the amount so applicable shall be paid out of the guarantee deposit to the Land Purchase Account."

The "guarantee deposit" means the landlord's fifth. Now the Ashbourne Act provides that if £100 is advanced, £20 of it is to be retained by the State, and applied as a security in case of default by the tenant purchaser. But we have here an innovation which is perfectly inexplicable, and I want to know on what principle of rectitude such an alteration of the Ashbourne Act is introduced here in favour of the landlords. The landlords' deposit should be the first security in case of attempted or absolute default by the tenant, and this proposal is an insidious design upon the part of the Government to favour their friends, the landlords. By the provision in this Bill the landlords' fifth has practically become one-tenth—that is to say, only one-half of the fifth is to be practical security for the default of the tenant. Along with this innovation there was, in last year's Bill, another iniquitous provision, by which even this one-tenth was made to disappear altogether. It may be remembered that last year the combined effect of those two provisions was such that it elicited a considerable amount of opposition on both sides of the House, especially amongst Irish Members, as was only natural. What do the Government do now? They put one of these provisions only into this Bill, and reserve the other one, hoping that this Bill will pass, until the next Bill, namely, the Land Department Bill, in which it is inserted as Clause 17, Sub-section (2), so that they will, they believe, be able as it were to defeat opposition in detail. I fancy their policy is that of the well known saying, "Here a little and there a little." They will take a little in this Bill—that is to say, they will take away half of the landlords' fifth, and when the next Bill comes on they will take away the other half, and the result will be that they will have the whole entirely to their own satisfaction, in favour of the landlords, and there will be no landlords' deposit remaining at all. The full significance of this insidious design is only to be estimated by another reference to the Land Department Bill. The present Bill says nothing about the process of when and how the landlord's fifth is going to be drawn upon; but the Land Department Bill says that the landlord's fifth is only to be drawn upon after eviction, and all sorts of processes, in which the Imperial Government and the British taxpayer are very much interested, have taken place. This clause here provides that even after eviction, after the British taxpayer, after the Imperial State has incurred all the difficulty and all the odium of evicting the tenant, only one-half of the deposit shall go as an irrecoverable debt, and the other half be retained in the name of the landlord. I hope this side of the House will make a decided stand against the introduction of any such provision; and it is to be hoped the Government themselves will consider the desirableness of accepting this Amendment, in so much as it surely is a matter of fair consideration and equity that the landlord who, alone in Ireland, under this Bill escapes all subsequent penalty, and all subsequent levies, should be put in the position of one against whom the State have a certain claim with regard to the guarantee deposit.

Amendment proposed, in page 2, line 32, to leave out from the word "Fund," to the end of Sub-section (3)—(*Mr. Keay.*)

Question proposed,

"That the words 'Provided that where a sum is applicable out of the guarantee deposit for the discharge or reduction of an irrecoverable debt' stand part of the Clause."

(10.25.) MR. A. J. BALFOUR: The hon. Gentleman bases the Amendment he lays before us upon the grounds of high equity. I confess I fail to follow him in the reasoning with which he supported his argument. If you are to have a Purchase Act at all you must trust the tenants to pay the annuity. You will also have to contemplate the possibility that certain tenants will not pay their annuities either through idleness or through misfortune, some fault of their own, want of skill or otherwise. If there be default, as default there must be in a certain proportion, I hope a very small proportion of the cases in Ireland, on whom is it to fall? Under the Ashbourne Act it necessarily fell first on the landlord, so far as one-fifth was concerned, and then on the taxpayer, because there was nobody else upon whom possibly it could fall. Now that we have introduced other guarantees, I am perfectly unable to see why they should not bear their portion of the loss. Take the case of a landlord who sells his land very cheap. The year after he sells it the tenant-purchaser sells it to a man who is drunken and incompetent and who fails to pay his instalments. The holding has to be sold, and when sold it does not realise the price paid. Why is the landlord to bear that loss? Why does equity declare that his fifth shall be exhausted before the collateral guarantees are come upon? Surely the fair plan is the plan by which the two collateral guarantees shall be called upon for the same amount at the same time. There is a further argument not based upon equity, but based upon expediency, which points in the same direction. It is very important that the locality should be deeply interested in the payment of the annuity. If the interest of the locality is only to begin when the landlord's fifth is exhausted, I fear that habits of non-payment will have time to form before antagonistic influence of a powerful character is established in the district. So that, apart from the ground of equity, I think on the ground of expediency there should be maintained an arrangement which is obviously the best one. The locality is called upon to pay its half, and the landlord is called upon to pay his half. Neither will be called upon to pay anything unless the debt is proved to be irrecoverable.

*(10.28.) MR. SHAW LEFEVRE: I think the Chief Secretary has given no reason whatever for the change he proposes from the Ashbourne Act. He has argued the question as if a deficiency or defalcation would arise only from the incompetency or neglect of the tenant, but there is another cause very likely to arise, namely, the high price paid for the land. When the clause of the Ashbourne Act was under discussion I myself was of opinion that it was hardly worth while to insert it. It appeared to me at that time that the tenant's interest was likely to be so valuable that it would not often occur that the holder, when there was a defalcation, would sell at less than his debt to the State. But the experience we have had of the Ashbourne Act has shown that I was mistaken, and that there have been many cases in which tenants have been unable to pay their instalments, and the holdings have been sold by the Land Commission, and have produced nothing at all. Here are one or two cases which will show the working of it. There was a case on an estate in Limerick, where the extent of the holding was 175 acres. The Poor Law valuation was £168, and the rent was £130. It was sold by the Land Court. The purchase money was £2,500. £500 was deposited by the landlord. After the tenant had been in about two years he became unable to pay, and the estate was put up for sale and realised nothing, there being no bidder. That showed that the tenant's interest was all gone, and that the rate of purchase had been a great deal too high. The defalcation amounted to £170.

MR. MACARTNEY: What is the number of the case?

*MR. SHAW LEFEVRE: No. 1 in the Return. The property was put up for sale by the Land Court. I ask is it fair that any portion of the defalcation of £170 should fall on the ratepayers of the district. It seems to me it is only right and fair that it should fall on the guaranteed deposit of the landlord in consideration of the fact that the purchase money was in the first place too high, and that the rent also was excessive. I will take another case—that of a farm in Waterford. The valuation was £82, the rent £92, and the purchase money £1,670. The instalment payable by the tenant was £66, and the tenant defaulted three years after the sale. The holding was thereupon put up for sale. It fetched nothing, and the Land Commission then applied for the guaranteed deposit. The landlord out of his own pocket had to forfeit his one-fifth to the Land Commission. Would it have been fair for any portion of that sum to have fallen on the ratepayers? Ought not the whole of it to come out of the guaranteed deposit? If you get rid of that security, it seems to me that you very much lessen the chance of repayment to the State; and, therefore, I hope that the Amendment of my hon. Friend will be allowed to pass.

*(10.34.) MR. MAHONY: One of the strongest arguments in favour of this Amendment appears to me to have been put forward by the Chief Secretary himself. The fact is that this is a proposal to treat the ratepayers of Ireland in a less fair manner than the British taxpayer is treated under the Ashbourne Act. Under the Ashbourne Act the British taxpayer had this guarantee to be used in its entirety; now are you going to force the Irish ratepayer to give security to the British taxpayer, and you will not allow him as you allowed the British taxpayer to come down in the same way on the guaranteed deposit? If it was fair to the British taxpayer that he should have the full advantage of this guarantee, surely it is equally fair to the Irish ratepayer that he, too, should have it in its undiminished extent. And all the more is it so, because the Irish taxpayer has no voice whatever in fixing the amount which the Land Commission may advance on the security. Unquestionably no risk of this kind ought to be borne. The person who ought first to bear any loss incurred, owing to the Land Commission advancing

too much, surely should be the landlord who gets the amount advanced. I hope the Chief Secretary will treat the Irish ratepayer as he held that the British taxpayer was entitled to be treated under similar circumstances.

(10.36.) MR. SEXTON: Why does not the Chief Secretary adopt a straightforward mode of dealing with this matter? It seems to me that his conscience is uneasy. The candid way of dealing with it would be to provide that the guaranteed deposit should be one-tenth instead of one-fifth. Does the right hon. Gentleman mean to say that the whole of the fifth, which is retained for the landlord, will be available for the satisfaction of arrears?

MR. A. J. BALFOUR: Yes. If there is default it will be available until it is exhausted. It will be used *pari passu* with the local rates for the purpose.

MR. SEXTON: Undoubtedly, the local funds will always be available. But I say that immediately you touch the landlords' fund you can only take one half from it. Under the Ashbourne Acts, the moment a tenant fell into default the arrears were wholly realised out of the guaranteed deposit. But, for the future, that deposit is to be relieved at the expense of the local rates. I think it is incumbent on the Chief Secretary to show cause why the system embodied in the Ashbourne Act should be departed from. We have had that system enforced for six years. It was initiated in 1885 and revised in 1888; it has worked satisfactorily up till now, and I ask why should the guaranteed deposit not continue to be wholly liable as at present? The right hon. Gentleman asked why should the deposit of the landlord be entirely liable, and he suggested that, if it were entirely liable, it would differ from the general system of guarantees under the Bill. Let me ask the right Gentleman what are the securities under the Bill? Suppose there is a default on the part of the tenant. You take first the purchaser's insurance money. You do not take half of it, but you take the whole of it, in order to make up the default of the tenant, and then, if that be not sufficient for the purpose, you come on the holding. Do you sell a part of the holding, or half of the holding? Not at all. You sell the whole of the holding —you sell every acre and every stone upon it, and you turn the tenant out into the world. And then, if after all that you have not sufficient, you come, in the third place, on the landlord's guaranteed deposit. You have realised to the utmost extent against the tenant, but the moment you come to the landlord you say, "Oh! we will only ask him to pay one half, and we will come upon the public for the remaining half." I ask is it fair? Why should not the landlord be treated in the same manner as the tenant? Why, if you exhaust the tenant's property, should you not then exhaust the landlord's deposit? Moreover, if the half of the landlord's deposit is not sufficient, what do you do? You come upon the contingent deposit, and you stop thereby the working of the schools and the asylums, and other public institutions in Ireland. Surely that is not a desirable thing to do. I claim that we have an unanswerable case against this scheme of the Government. I heard just now an ejaculation from an hon. Member opposite. I take it that he is willing that the whole of the landlord's deposit should be utilised.

COLONEL WARING (Down, N.): Certainly not.

MR. SEXTON: Well, I have pointed out how the landlord is favourably treated while the tenant's funds are exhausted to the uttermost. I maintain that there should be no distinction between the two, and that the personal interest and realisable assets should all be exhausted before you come either on the ratepayers of Ireland or on the taxpayers of the district.

(10.45.) MR. M. J. KENNY: I maintain that this clause is intended merely for the relief of the landlords. They will not only receive $2\frac{3}{4}$ per cent. but after 18 years they will be entitled to payments of 3 per cent. on the one-fifth of the purchase money which has been retained by the Government, and in addition to that, one-half of the one-fifth so retained cannot, under this provision, be used to make up any default. It can never be exhausted. The right hon. Gentleman says that this sum will be exhausted *pari passu* with the sum which was originally guaranteed by the tenant. I think that is not so. The tenant's guarantee has first to be exhausted, and when the landlord's guarantee comes to be resorted to—if ever it is—then you come upon the local rates. The tenant, under this Bill, has to provide a series of securities, and these have to be exhausted before the guarantee of the landlord can be touched. I invite the attention of the right hon. Gentleman the Attorney General for Ireland to this point. If his contention is that the landlord's deposit can be ultimately used up in case of default, I submit that that is not so; that it can never be fully exhausted, and that at the period of 18 years the landlord will be entitled to withdraw one-half of the one-fifth. In the observations which we have heard from the Chief Secretary, I can find no reason advanced for this departure from the policy of the Ashbourne Acts.

(10.50.) MR. LABOUCHERE: Assuming that the money will be paid by the tenant, I do not think that the landlord will lose anything. On the contrary, I think he will be a considerable gainer. The landlords in Ireland have proved themselves to be exceedingly reckless persons in the matter of money. They have mortgaged their lands, and generally speaking, spent over and above their incomes. Suddenly they will be given a large sum of money, and surely it is an advantage to them to have a certain portion of it tied up, and to receive 3 per cent. upon it for a good number of years. As a matter of fact, we are acting as a species of trustee for the improvident Irish landlords because, no doubt, if the landlords had all the money down at once it would be recklessly squandered. I do not assume that the tenants will always pay. I think it is exceedingly probable that in many cases the landlords will manage to screw out of them a great deal more than the holdings are worth, and in the long run the tenants will find it exceedingly difficult to pay, owing to a fall in the value of produce, or other matters. Let us clearly explain what will be the position of the landlords. I will assume that the produce has fallen in value. If the estate had not been sold to the tenant, the landlord would have been unable to get in his rent, and therefore by the purchase transaction the landlord is to a certain extent indemnified, although he has to deposit one-fifth of the purchase money with the State. But under the proposal of this clause, although the call upon the guaranteed deposit may be £10, only £7 10s. will have to be paid by the landlord, while £2 10s. will have to be contributed by the locality. The Chief Secretary for Ireland says that that is placing the landlord in the same position as he was under the Ashbourne Act.

MR. A. J. BALFOUR: I did not say so.

MR. LABOUCHERE: Then he admits that the landlord is in a better position. Yet Gentlemen opposite, who represent the landlord interest, are perpetually complaining that they are injured by this Bill, and will not be placed in the same position as they were under the Ashbourne Act. There is, therefore, a difference of opinion between the Secretary of State for Ireland and his supporters, which will, no doubt, lead to a very interesting Debate. I take the liberty to agree with the Chief Secretary. I say that the landlords are benefited by this, and placed in a more advantageous position than they were in under the Ashbourne Act. I have in my hand a pamphlet. You told me, Mr. Chairman, when we were discussing a previous Amendment, that I was then out of order. It, no doubt, occurred to you that I should be in order in quoting from it on this clause. The point raised is, whether the tenants are likely to pay or not, and this pamphlet deals with that matter. It goes beyond a Return which we have had presented to us in this House. It gives certain memorials from tenants who have purchased their holdings under the Ashbourne Act, and those memorials show the difficulty they have in meeting their engagements. This is not the case of purchases made from the small landlords. They are purchases made from men of whom I speak with greatest reverence—men belonging to the nobility. For instance, the Marquess of Waterford obtained £124,000 under the Ashbourne Act. What do his tenants who purchased from him say? They say that the majority of them had no voice in arranging the contract; that they were obliged to agree to the landlord's terms under threat of eviction. Again, the Marquess of Bath's tenants ask for a reduction, and pray that in the Land Bill about to be brought before Parliament, some provision may be inserted to reduce the amount of annuities they now have to pay. The tenants of the Duke of Leinster say—

> "Inasmuch as we, the majority of 365 Leinster tenants, were induced to purchase our holdings under the Ashbourne Acts, are now, through no fault of our own, unable to pay this year's instalment or purchase-money without disposing of the requisites for the working of our farms, we strongly protest against the confiscation of our property and our expulsion from our homes."

Memorials to a similar effect have been presented by the tenants of George Lane Fox, Meredith, and others. Now, what do these things show? They show that in the opinion of those tenants who bought under the Ashbourne Act they were forced to pay higher prices than the value of the holding, and that they are unable to meet the instalments. Why should we not have the same allegations raised in respect of purchases which may be made under this Act? Remember that this Act will have a far wider operation, and that, consequently, greater injustice may be committed. I think I have shown good cause for supporting this Amendment, and that the Committee will agree with me that the landlords' deposit ought to be exhausted, at any rate, before the local rates are trenched upon.

(10.57.) SIR H. DAVEY (Stockton): I think the Committee should have some further explanation and information as to the reason for the making this most important departure from the policy of the Ashbourne Acts. We were told on a former occasion that the machinery of this Bill was taken from the Ashbourne Acts, and that the only difference was that there was to be a much larger expenditure of money. But this is a most material alteration. Under the Ashbourne Act the whole of the landlords' deposit was applicable to making up the default of the tenant; but by this Act it is proposed that the ultimate liability shall fall on the ratepayer, and that the landlords' deposit shall only be affected to the same extent as the local rates. To my mind, that is all moonshine, because I hold that it would be perfectly impossible to enforce the liability on the Irish ratepayer, or to take away the local resources of an Irish county in order to make up that default. In my opinion, the ultimate liability will be upon the British taxpayer. If it was right at the time the Ashbourne Act was passed, why is it not right now that the landlord's guaranteed deposit should be the fund available for making good defaults? I do not understand the right hon. Gentleman to say that any experience he has gained of the working of the Ashbourne Act has led the Government to consider that the arrangement then made was unjust. What I want to know is why a change is made now? As I have already said, the ultimate liability of this Bill will be on the British taxpayer. But assume that it is on the Irish taxpayer. Why is it not equally right that the Irish ratepayer should have the benefit of the landlord's guaranteed deposit, as it was in previous years that the British taxpayer should have the benefit of it? Another question arises on this Amendment. I have always been of opinion that the Bill was defective in many particulars, and especially in that it did not state clearly or, as far as I can discover, at all the order in which the different securities are to be applied. I cannot anywhere in the Bill find the point at which the debt is to be released by ejecting the tenant, or by selling up his holding, and I should like to know whether the guaranteed deposit and the guaranteed fund are to be made applicable *pro ratâ*, or, if one is to be made applicable before the other, what the priority is to be. I infer from the language of the clause that the tenant's holding must have been released before this clause comes into operation. The debt cannot be pronounced to be irrecoverable until all means of recovering it have failed, and, therefore, you must, before this is brought into operation, have sold the holding. I do not, however, find that in the Bill.

*(11.5.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I do not know whether the hon. and learned Gentleman was in the House when my right hon. Friend the Chief Secretary explained the reason for this change, but I rather fancy he could not have been, or he would not have asked for a second explanation. I will, however, answer his questions. There is this very important consideration to be borne in mind—that, under the Ashbourne Acts, there is only a single guarantor, the sole guarantee being that of the landlord. When there is only one guarantor it is evident that he must bear the entire responsibility. But under the present Bill there are two distinct sets of guarantors — the landlord and the

locality. In those circumstances it would be most unfair to throw the whole responsibility on the landlord and none on his co-guarantor. That is simply the explanation of the departure from the Ashbourne Acts, the machinery of which we have adapted to the altered financial arrangements of this Bill. The hon. Member for West Belfast (Mr. Sexton) asked whether we might not just as well at once provide that one-tenth should be retained. Assume that you retain one-fifth, say £100, and a default say of £10 is made; under the Ashbourne Acts the whole of that £10 must be borne by the sole guarantor. Under this Bill £5 would be borne by the landlord's deposit, and £5 by the Guarantee Fund. The hon. and learned Gentleman opposite seemed to forget that there may be subsequent defaults. It would take 20 defaults of £10 each to eat away the entire deposit, whereas after 10 defaults under the Ashbourne Acts the entire deposit would be gone.

SIR H. DAVEY: Will the right hon. Gentleman excuse me? This only applies where the debt is irrecoverable, and before it is proved to be irrecoverable the tenant will be sold up.

*MR. MADDEN: That is an entirely different question, and is absolutely not relevant to the argument I was addressing to the House. I must remind the hon. and learned Gentleman that this Act must be read with the Ashbourne Acts, and that you cannot resort to the guarantee deposit at all unless the Land Commissioners declare the debt to be irrecoverable; but, whilst under the Ashbourne Acts you can resort to the deposit for the entire debt, under this Bill you can resort for only one-half to the deposit. The hon. and learned Gentleman asked me to point out in what part of the Bill is to be found the order in which the liability shall be applied. The 1st sub-section of Clause 4 makes provision for the order of application.

(11.14.) MR. SEXTON: The practical effect of the change seems to be that assuming the prospect of default to be the same as under the Ashbourne Act, and the chances of payment being the same, one-half the landlord's deposit is saved for him at the expense of the local rates. There are to be three personal guarantees in the case—one afforded by the landlord and two—the county percentage and the insurance money—by the tenant. You put the county percentage into the Guarantee Fund, and if there is any call on the Guarantee Fund, you exhaust every penny of it. If there is any default at any time, you take the right to take every penny of the insurance money. I repeat the contention I formerly urged, namely, that the personal guarantee of the landlord and that of the tenant should be treated alike.

(11.15.) MR. J. MORLEY (Newcastle-upon-Tyne): Surely there was one obvious fallacy in the speech of the right hon. and learned Gentleman. He spoke of there being two guarantors and spoke of them being entirely on an equal footing; but he forgot that one of those guarantors has given his consent by being a party to the bargain, whereas the other party, the ratepayer, has had no voice or choice in the transaction. Yet the two guarantors are treated as if they are equally spontaneous and equally voluntary. It would be well if the Government would state precisely in what order the Commissioners or the Treasury will proceed to realise the securities. When will they sell up the holding? What will they do with the collateral securities? Will the right hon. Gentleman tell us plainly—firstly, secondly, and thirdly—how they will proceed to realise one security after the other? Under the Ashbourne Act, the landlord, so long as his guarantee deposit remains in the hands of the Commissioners, is to receive 3 per cent. interest. Why is the landlord to receive 3 per cent., while other people receive only 2¾ per cent., and, in a short time, 2½ per cent.?

(11.18.) MR. M. J. KENNY: Under the Bill the tenant's deposit is to be exhausted before the landlord's guarantee is touched. I submit with confidence that is what the Judges in Ireland will hold. If the clause stands as it is, the landlord's guarantee deposit becomes a portion of the Guarantee Fund. Clause 4 of the Bill governs the priority of the securities, and everything in that clause goes to exclude the landlord's deposit. The landlord's guarantee deposit is not liable *pari passu*, as the Chief Secretary said, with the tenant's deposit, it is only liable in the event of the Local Guarantees, both contingent and cash, being absolutely exhausted; then, there is the further injustice that while the landlord can get a charging order in the Courts as against the holding for any portion of his one-fifth guarantee which becomes exhausted, the Bill does not give the localities power to get a charging order for their contributions to the guarantee. I submit something ought to be done to remedy that defect.

*(11.21.) MR. MADDEN: The current payments will go to the Land Purchase Account, and any deficiency will be made up out of the Guarantee Fund, which is applied as provided in Sub-section 1 of Clause 4. By this arrangement, the Land Purchase Account will be made solvent, and subsequently into the Guarantee Fund will flow all sums in respect of arrears of purchase money. Under Clause 7, Sub-section 8, provision is made for such adjustments being made. No doubt the system is a complicated one, but does anyone suppose that these guarantees could be worked with the simplicity of the Ashbourne Act which has only one guarantee?

(11.24.) MR. J. MORLEY: I submit that the language of the last line of Section 1, Clause 4, is obscure—

> "First out of the cash portion of the Fund, and out of the Exchequer contribution."

What is the meaning of that? As I understand it it ought to be—

> "First out of the Exchequer contribution to the cash portion of the Fund."

Then the right hon. and learned Gentleman refers us to Sub-section 8 of Clause 7. Will he tell us what the adjustments are? I deny that anyone can gather the facts from the wording of the sub-section.

*MR. MADDEN: The arrears are carried to the Guarantee Fund. Before they come in it may be necessary to resort to the cash portion of the Guarantee Fund, but according as the arrears come in they will be made available to recoup the Guarantee Fund.

MR. J. MORLEY: I think the right hon. and learned Gentleman is mystifying the Committee. I invite the right hon. Gentleman to tell the Committee plainly in what order the securities are going to be realised. What is the meaning of all this mystification?

*MR. MADDEN: I am sorry I cannot convey my meaning to the right hon. Gentleman, but I have no doubt it is my fault. What I was endeavouring to explain is extremely clear. If all annuities are paid up to date, there will be no need to resort to anything but the Land Purchase Account. If they are not paid up to date then resort must be made to the cash portion of the Guarantee Fund. I have explained the order in which that fund is to be resorted to. I cannot say in what order subsequent transactions will occur after that. They will depend on the order in which the receipts in respect of arrears or guarantee deposit occur, by which the Guarantee Fund is recouped. According as the arrears come in they will be available for the purpose of the Guarantee Fund, and adjustment will take place, as provided in Clause 7, Sub-section 8. Until the order is made by the Commissioners declaring the debt to be irrecoverable, there can be no receipt for the guarantee deposit. How long may be the period between the default and the making of the order I cannot say. I cannot state the time at which the Commissioners may declare the debt irrecoverable. All I can say is that whenever, in consequence of such a statement, they capture the guarantee deposit, that comes into the Guarantee Fund. When arrears are recovered they also come into the Guarantee Fund. The Guarantee Fund has, to a certain extent, been applied to make the system solvent, but it will be recouped to the extent of any payments made in respect of arrears of guarantee deposit.

(11.32.) MR. J. MORLEY: We have heard several complaints that my hon. Friend the Member for Elgin and Nairn has not been always perfectly lucid, but my hon. Friend is lucidity itself compared with the right hon. Gentleman. The right hon. Gentleman talks about the landlords' guarantee deposit coming in. But surely that deposit is retained, and therefore cannot come in?

*MR. MADDEN: The right hon. Gentleman is under a mistake. I do not wish to bandy complaints about lucidity, but I must say the right hon. Gentleman's complaint is founded on a total misapprehension of the position. The guarantee deposit is retained by the Land Commission, but no portion of it is paid into the Guarantee Fund until the debt has been declared by the Commission to be irrecoverable?

MR. J. MORLEY: Are we to understand the right hon. Gentleman to say that the deposit is not to become a fund until the debt is found to be irrecoverable?

*MR. MADDEN: Certainly not a portion of the Guarantee Fund.

MR. J. MORLEY: Are we to understand that the holding will be brought into the market before the landlords' guarantee is touched?

*MR. MADDEN: The Land Commissioners must come to the conclusion that the debt is irrecoverable, and they cannot come to that conclusion unless they have tried to sell the holding.

MR. J. MORLEY: Then we are back at this point, that no reason has been shown why, when the Guarantee Fund is resorted to, at one time or another, only one half of the landlords' guarantee deposit should be attached.

*(11.35.) MR. KEAY: I think we are worse off instead of being where we were in consequence of this explanation, if I may call it so. The right hon. and learned Gentleman has inverted the pyramid altogether. Excellent lawyer as he is, I am afraid that book-keeping is not his strong point. The sole point on which he has founded his remarks about this complication of accounts, this changing and interchanging and ladling of amounts from one fund to another is based on an absolutely wrong conception of the facts. How often has the right hon. Gentleman told us in the last five minutes that the guarantee deposit if required is to be paid into the Guarantee Fund and then the Guarantee Fund is to be paid into another fund. If the right hon. Gentleman will look at Sub-section 3, Clause 2, he will see that the guarantee deposit, which is the landlords' fifth, is never paid by any possible chance into the Guarantee Fund at all, but into the Land Purchase Account.

(11.36.) SIR H. DAVEY: The fault of obscurity is not with the Attorney General for Ireland, but with the Bill itself. It is one of the most obscurely and badly drafted Bills that I have ever seen. The right hon. Gentleman has now cut away the ground he took in giving his first answer. I had some glimmer of what was meant when the right hon. Gentleman first answered my queries, but my notion on that head has been entirely removed by what he has said since. He has spoken of the Guarantee Fund and the landlords' guarantee deposit as being co-guarantors; but now it appears that the deposit is only resorted to after the Guarantee Account has been made solvent from the Guarantee Fund. The right hon. Gentleman has not touched the question which is really the essential point of the matter. At what point is the holding to be sold up? At what stage does the guarantee deposit come in? I must say the Attorney General for Ireland has not approached an answer to our questions, asked more than once. He has given us a more or less clear account of the adjustments contemplated in the Bill, but of these we do not ask. There is a guarantee of the deposit, there is the guarantee of the Guarantee Fund, and the purchased holding is also security for the debt. What we want to know is where the guarantee deposit comes in? At what stage is it brought in? It comes in when the debt is irrecoverable. The guarantee deposit is not applicable until the debt is declared irrecoverable, and the Attorney General for Ireland has admitted that involves that the holding has been sold or that there has been an attempt at sale. Now, we want to know where that comes in—we want to have a clear idea of the process between the application to the Guarantee Fund, the sale of the holding, and the application to the guarantee deposit, and not how the accounts in this complicated Bill are to be adjusted by the Treasury. I must also say, and I gave all the attention I could to what the right hon. Gentleman said, that I am at a loss to know why this change is made from the Ashbourne Act. We are told they are co-guarantors, but we are also told that the Guarantee Fund is the guarantee in the first instance, and the guarantee deposit not until afterwards. This is not a co-guarantee in any intelligible sense. The landlords' deposit is made liable because the default may be made in the first instalment, and it is not an unfair inference that the default is made because the purchase-money is too high, as may be proved from a fall in the price of produce and change in the value of land. It is perfectly right that the guarantee deposit of the landlord should be retained on that ground, but the Guarantee Fund stands on a different footing, it is a mere surety. The landlord is not a surety, his money goes to recoup the Exchequer when default arises from the advance having been made at too high a rate.

They are not I say co-guarantors in any intelligible sense, and the origin of the liability in the one case is totally different from that in the other.

(11.43.) MR. A. O'CONNOR (Donegal, E.): The Attorney General for Ireland has admitted that the machinery of the Bill is somewhat complicated, and it has been suggested that the difficulty has arisen from that cause, not from his explanation. Now it seems to me that the right hon. Gentleman is in error in supposing that there is any provision in the Bill for the payment into the Guarantee Fund of 1d. of the guarantee deposit. There are a great many different accounts arranged for, the Land Purchase Account, the Consolidated Fund Account, the Guarantee Fund Account, the Sinking Fund Account, the Reserve Fund Account, and there is the guarantee deposit for which a separate account will have to be kept. The Attorney General stated what is in direct contradiction to the Bill when he spoke of the payment of the guarantee deposit into the Guarantee Fund. The right hon. Gentleman has referred to Sub-section 8 of Clause 7, but when I look at this I find that it merely provides that the Treasury may cause adjustments to be made between the Sinking Fund, inclusive of the purchaser's insurance money, the Land Purchase Account, the Guarantee Fund, and the Reserve Fund; and may cause payments to be made from one account or fund to another, and sums to be placed to such credit and such securities to be sold or bought as may appear to them necessary for the purpose of carrying the Act into effect. There is not a single word about the guarantee deposit. Now this is a very nice piece of financial scratch-cradle, but it is perfectly unintelligible to the ordinary mind, and I doubt very much if the thing will work out in practice. There is no provision for the appropriation of the guarantee deposit at any particular stage in Sub-section 3 with which we are now dealing. The design seems to be that when the debt has been declared to be irrecoverable, that is to say, when every other asset or security has been drawn upon—and all have precedence of the guarantee deposit—then only is the guarantee deposit to be drawn upon, and then only to the extent of 50 per cent. We now find that every other form of security is to be exhausted before the landlords' guarantee deposit is to be touched.

(11.45.) MR. KNOX: There is, I think, what will be admitted to be an omission, in there being no mandatory provision ordering the Commissioners to pay over the guarantee deposit to any other account. There ought to be a mandatory provision ordering this payment to the Guarantee Fund. In Sub-section 3 of Clause 2, now under discussion, it is assumed that these sums will be repaid from the guarantee deposit, but there is absolutely no provision in the Bill for that.

*MR. MADDEN: The hon. Gentleman will find by Sub-section 3 there is a mandatory direction to the Land Commission that all the moneys in respect of arrears, whether paid by the proprietor of the holding or from the guarantee deposit, or from any other source, shall be paid into the Guarantee Fund.

MR. KNOX: I venture to say I do not think it is likely that there will be any payments from the guarantee deposit. In Sub-section 3 it is clear that it was the intention of the draftsman that the guarantee deposit should go to the Land Purchase Account; but though it is assumed that in certain cases it may go to the Land Purchase Account there is no provision in the Bill ordering the Commission, at any fixed period, to pay over this money to any particular fund. I venture to think some further provision is necessary, and it may perhaps be introduced later, dealing with this point in explicit terms. But after all, the immediate question under discussion is one of principle, not of drafting. We are discussing a provision in this Bill which is an absolute innovation on the provisions in the Ashbourne Act. The Attorney General for Ireland and the Chief Secretary have both assumed that under the Ashbourne Act the risk is borne wholly by the landlord, but that I entirely deny. I say under the Ashbourne Act the risk is borne rather more by the tenant than by the landlord; there is the risk of his interest in the holding, which the Attorney General for Ireland has declared in this House is in many instances equal to the landlord's interest in the holding. The first charge in default of instalment is the tenant's interest in the holding, whereas the landlord's guarantee deposit is only a fifth of the value, so the liability is not I say fairly distributed, the tenant bearing rather more than his proper share of the risk. But the proposal of the Government does not mean an equal risk, even if that equality is just, because, as the right hon. Gentleman the Member for Newcastle has pointed out, the positions of the two parties are entirely different. The Local Authority is not consulted as to the arrangement, and has no voice in the matter. The landlord gets the money from the sale, the Local Authority gets no benefit whatever. There is no equality of risk as the Bill is drawn. The Chief Secretary assumed that half the guarantee deposit might be taken in certain cases, and that therefore half the risk is borne by the landlord, but that is not so. The landlord's guarantee deposit remains for only 18 years, the risk of the Local Authority remains throughout the whole term of the purchase annuity—and is therefore three times as large as the risk borne by the landlord. The Attorney General for Ireland spoke of the tenant committing default on 20 occasions in which case he assumed the whole of the deposit would go, but as a matter of fact, this is almost an impossibility. Before the tenant could have committed 20 defaults the landlord would have gone off with his money, and his liability would have ceased. The Bill provides that you may take the whole of the tenant's interest and the whole of the tenant's insurance deposit, and yet after that you can only take half the landlord's guarantee deposit. There is no equality between the risk of the landlord, the tenant, and the locality.

(11.55.) Sir G. CAMPBELL: I really think that before the Division is taken the Attorney General for Ireland ought to answer clearly the question that has been repeatedly put to him—namely, at what point in the proceedings the tenant's holding is to be sold. I can only suppose that the right hon. Gentleman has not answered because he does not know. The Bill, I maintain, is unintelligible, that is the opinion I expressed many weeks ago, and it is now confirmed by the hon. and learned Member for Stockton.

(11.56.) Mr. J. MORLEY: I cannot suppose the Government are going to force on a Division without a clear explanation of the questions we have put. For my part, I cannot consent to the judgment of the Committee being taken before full and adequate information has been given on the point which has been raised again and again. At what point is it that the landlords' guarantee deposit is going to be appropriated? Is the first process the attempt to realise by the sale of the holding, or at what point is this step to be taken?

*Mr. MADDEN: It will be the duty of the Land Commissioners at once to realise. The Commissioners, of course cannot declare that the debt is irrecoverable until an attempt has been made to sell.

Mr. J. MORLEY: Then it appears that, first of all, the Commissioners will proceed to realise what may be called the tenants' deposit before even half of the landlords' deposit is touched? The right hon. Gentleman has spoken of co-guarantors, but the ratepayers have never been consulted——

It being Midnight, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again to-morrow, at Two of the clock.

LAW AGENTS (SCOTLAND) BILL.
(No. 69.)

Bill read the third time, and passed.

DRAINAGE AND IMPROVEMENT OF LAND (IRELAND) BILL.—(No. 66.)

Bill read the third time, and passed.

PUBLIC PETITIONS COMMITTEE.

Ordered, That Mr. Tollemache be added to the Select Committee on Public Petitions.—(*Sir Charles Foster.*)

MOTION.

BUSINESS OF THE HOUSE (SITTINGS AT NINE O'CLOCK).

Motion made, and Question proposed,

> "That the Sitting of the House at Nine o'clock be held subject to the provisions of Standing Order No. 1 which relate to the Interruption of Business and the Adjournment of the House; that the said Resolution be a Standing Order of the House; that Standing Order No. 8 be repealed."—(*Mr. William Henry Smith.*)

(12.7.) Dr. CLARK (Caithness): I should like to ask the First Lord of the Treasury whether the Government intend to avail themselves of the hour from 12 to 1 o'clock for the purpose of their own privileged business, such as Report of Supply, Committee of Ways and Means, and Money Bills? If so, the effect of this Resolution will be, not to enable Members to go home earlier, but merely to take an hour from private Members and give it to the Government. Under the circumstances, I think we ought not to make the change in this form, and unless the Government pledge themselves not to put down their privileged business after midnight on Tuesdays and Fridays our position will be that whilst we have lost an hour the Government will have gained it. I would suggest that we should pass the Resolution in this form—"on Tuesday and Friday at 12 o'clock all disputed business shall cease."

*(12.10.) SIR R. FOWLER (London): Of course, I should be wanting in Party allegiance if I exercised the privilege which every Member of this House possesses of objecting to this Motion. At the same time, I must say I very much regret that my right hon. Friend has brought it forward. If carried, it will only leave three hours for the consideration of Motions on Tuesday and Friday nights, which in cases such as that of the Opium Resolution of last Friday week will be quite inadequate. In the Opium Debate an hour and a half, or rather more, were taken up by the Mover and Seconder. Another half hour was very properly taken up by the speech of my right hon. Friend the Leader of the House, so that if we had had only three hours not much more than half an hour would have been left to Private Members, and as it was there were some we should like to have heard. My right hon. Friend who represents the Party opposite on Indian questions (Sir U. Kay-Shuttleworth) and my hon. Friend the Member for Hackney (Sir Guyer Hunter), whose knowledge of the subject in some respects is unrivalled, neither of them addressed the House. As I had an Amendment to which allusion has been made this evening I should have been glad of a few minutes. Four hours is quite a short enough time for the discussion of such a Motion. An hon. Member opposite has a Motion on the Paper for to-morrow attacking the English Church. I do not think an important question of this kind can be satisfactorily debated in three hours. I very much regret that the House has not had an opportunity of taking a Division on this question. No doubt on a great many questions we give way to the Government, and hon. Gentlemen opposite to their leaders, but this is a question upon which every Member of the House is equally able to form a judgment. Some Members say that the House of Commons has degenerated. I do not express any opinion as to whether it has degenerated morally or intellectually, but I do say that this Motion shows that the House has degenerated physically. Go back 10 years. We thought ourselves fortunate in those days if the House adjourned at 3 o'clock in the morning on Monday and Thursdays, and at 2 o'clock on Tuesdays and Fridays. But now we find young Members of the House doing all they can to shorten the Sittings. I regret that this Motion has been brought forward, but I should be wanting in Party allegiance if I opposed it. I can only offer an humble protest against it.

*(12.15.) SIR G. TREVELYAN (Glasgow, Bridgeton): The hon. Baronet who has just sat down, and whom we all like to hear, more especially when he is not dealing with a Party question, has spoken with strong feeling on this matter, but I am not sure that he has proved the main part of his case. There are many of us who think that 13 hours of work, with a break of two hours, is too much, and that is the amount of work to those who have begun the day by sitting on a Committee. There are others who think very strongly that the Debates gain very much by compression. It may be the case that when a new subject is being brought forward a long speech is required, but I am satisfied—and many hon. Members will agree with me—that in the discussion of an abstract Motion, on which no hon. Members have an interest in delaying business in order to keep out of the way some particular result which they dread, the Debate is all the better if the speeches are of a moderate length. For my own part, I should never wish to make a speech of more than 20 minutes' duration on an abstract Motion, however much I might be interested in it; and if you give 40 minutes to the Mover that would enable eight speeches to be made within

the three hours. I must say that under the present Standing Order the hour between 12 o'clock and 1 is very dreary. I am informed by hon. Members that so little were they aware of the nature of this Standing Order that on the first night after a Morning Sitting, when they found that the House did not adjourn at 12 o'clock, they were unpleasantly surprised. These considerations, however, do not take away from the weight of the remarks of the hon. Member for Caithness. It appears to me, if I may say so without disrespect, that in the proposed arrangement personal advantage is more on the side of the Government than on the side of the Opposition for private Members, and especially private Members who are supporting the Opposition, may go away very freely on nights when abstract Motions are on, but, if once the House is formed, and the Debate set going, the Members of the Government and their warm supporters are not able to do this. The personal advantage to the Government is very great, and I do not think they should insist on any political or Parliamentary advantage in addition. The Government at present cannot use Tuesdays and Fridays after a Morning Sitting for the purpose of advancing Money Bills or Reports of Supply; so that if the Government are willing to give an assurance that they will not—except in most extreme cases—use this hour for the purpose of Supply, and so keep the House up for Government Business, when we have consented to renounce an hour of private Members' time, then I almost hope the Resolution may pass. I would suggest that the right hon. Gentleman should consider whether it is not better to make the Order a Sessional Order, instead of a Standing Order. If that is done, I feel certain that when the proposal has been adopted the House, and especially the hard-working Members of the House, will regard it with very great favour. For my own port, I should be quite as glad to have it a Sessional as a Standing Order.

(12.20.) MR. J. E. ELLIS (Nottingham, Rushcliffe): I entirely agree with the right hon. Baronet as to lengthy speeches in the abstract, but I also must express some sympathy with some remarks that fell from the hon. Baronet the Member for the City of London (Sir R. Fowler). If I mistake not, when we first adopted the 12 o'clock Rule, the hon. Baronet expressed a doubt as to its consequences. I entirely agreed with him in certain respects with regard to that Rule. I am satisfied, having considered the matter carefully, that in certain directions if we make this change in haste, consequences will flow from it, especially in matters in which the Secretary to the Treasury is interested, which are not at present anticipated. I hope we shall have an assurance from the right hon. Gentleman as to the cogent remarks that fell from the hon. Member for Caithness, and that he will consent to make this a Sessional Order until we see how it affects the Business of the House. If the last few words of the Motion are omitted, it will carry out the suggestion as to a Sessional Order.

(12.23.) MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I agree with the hon. Member for Caithness as to Government Business; but the striking out of "one" and the insertion of "twelve" in the Standing Order would have the necessary effect. The House would then necessarily have to adjourn at 12 o'clock, and uncontentious business that many hon. Members are interested in would have an opportunity of being brought forward; whereas, under the proposal of the Leader of the House, Bills on which no Division is taken would have an opportunity of being further forwarded. Therefore, I think the proposal of the right hon. Gentleman is the better of the two. I feel sure, from the way in which the right hon. Gentleman has met the views of the House, that he will be prepared to give an undertaking, which I quite believe he intended when he made his proposal, that these evenings shall remain as they are at present in the hands of private Members. I do not understand that the right hon. Gentleman proposes that the Government should derive any advantage from this proposal. I take it that his Motion is simply to enable Members, on Tuesdays and Fridays, to go home earlier than 1 o'clock in the morning. I am glad to find the House so unanimous on this subject. We are not all so enamoured of long hours as my right hon. Friend opposite. We do not all look back to ancient days as being the greatest pleasure of our lives.

(12.25.) MR. T. M. HEALY (Longford, N.): I think the proposal of the hon. Member for the Bridgeton Division of Glasgow might well be accepted by the House. I confess I feel surprised at what has fallen from the hon. Baronet the Member for the City of London. We are all interested in the speeches of the hon. Baronet in the early hours of the morning. I can say for myself he has always seemed to me an honest watch dog. We know very well that this Resolution imposes a severe disability on hon. Members opposite. They cannot talk in Government time; therefore, it is only natural that they should desire to talk in private Members' time. But I would point out to them that, after all, the time will come when they will again be in Opposition—and will come very soon. They will then be able to carry out the famous rule, which almost amounted to a Standing Order with my late lamented Friend (Mr. Biggar)—"Never talk except in Government time." Apart from these considerations, I give my absolute support to the proposal of the Government.

*(12.26.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): One would suppose, listening to hon. Members opposite, that this is a deep design on the part of Her Majesty's Government to deprive them of some of the ancient privileges to which they are entitled. I would remind them, however, that it was only in response to what might be called a conspiracy on the part of hon. Members opposite that I undertook to make this proposal, at the same time explaining that it was for the House itself to say whether it should be adopted. We have no desire to obtain more time for the transaction of Government business, but we cannot consent to deprive ourselves of the power in the event of an emergency of using the existing conditions to put forward Government business, which must be transacted sooner or later. There are, sometimes, occasions when exempted business is of such an urgent character that it is absolutely necessary that we should ask the House to consider it, even after 12 or 1 o'clock. It is suggested that this should be a Sessional Order. I am perfectly willing to accept that suggestion, so that the House can see whether the change that is now desired is one which is for the convenience of Members. I cannot consent to the change proposed by the hon. Member for Caithness, but I consent to the Order being a Sessional one, and we shall never ask for Report of Supply to be put down on Tuesday or Thursday, after a Morning Sitting, unless it is absolutely necessary in the public interest. I would remind hon. Gentlemen that this will give us no priority after 12 o'clock on Tuesdays and Fridays. The Orders of the Day will have to be gone through before any Government business can be taken, therefore, hon. Members will see that they will have the great advantage of being able to take unopposed Motions and stages of Bills, and of fixing the stages of Bills for other days, which at present it is impossible to do on Tuesdays and Fridays. I think it is greatly to the advantage of the conduct of the Business of the House that Bills down on the Paper and undisposed of should be fixed for a future occasion, whereas at present you, Mr. Speaker, have to leave the Chair on Tuesdays and Fridays at 1 o'clock without going through the Orders of the Day. I think it would be to the convenience of the House to accept this Motion, but if there is an indisposition to do so I shall be perfectly prepared to abandon it.

MR. J. E. ELLIS: I move that the last line but one, which says, "That the said Resolution be a Standing Order of the House," be omitted.

*MR. SPEAKER: I will put the first part of the Motion.

Question,

"That the Sitting of the House at Nine o'clock be held subject to the provisions of Standing Order No. I. which relate to the Interruption of Business and the Adjournment of the House,"

—put, and agreed to.

*MR. W. H. SMITH: It is not necessary to alter the last line but one, so as to substitute "Sessional Order" for "Standing Order." The line need not be put.

Question, "That Standing Order No. VIII. be suspended for the remainder of the Session," put, and agreed to.

House adjourned at half after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, 21st April, 1891.

INTERMEDIATE SCHOOLS, &c., SITES BILL [H.L.].—(No. 3.)

Reported from the Standing Committee, with Amendments: The Report thereof to be received on Friday next; and Bill to be printed as amended. (No. 94.)

REGISTRATION OF ELECTORS ACTS AMENDMENT BILL.—(No. 53.)

Reported from the Standing Committee with a further Amendment: The Report of the Amendments made in Committee of the Whole House and by the Standing Committee, to be received on Monday next; and Bill to be printed as amended. (No. 95.)

PUBLIC BODIES (PROVISIONAL ORDERS) BILL.—(No. 74.)

Reported from the Standing Committee without Amendment; and to be read 3ª on Thursday next.

MERCHANDISE MARKS BILL.—(No. 86.)

SECOND READING.

Order of the Day for the Second Reading, read.

***The SECRETARY to the BOARD of TRADE** (Lord Balfour of Burleigh): My Lords, the Bill which I have the honour to present to the House and to ask your Lordships to give a Second Reading to is a very short Bill for the purpose of amending in two points the Merchandise Marks Act of 1887. That Act, as your Lordships are aware, imposes penalties for the fraudulent or improper use of trade marks and trade descriptions, and amongst other things gives power for the detention and confiscation of goods which are falsely and improperly marked. The Act was made the subject of inquiry by a Committee of the House of Commons last year, and they reported that its operation had been generally most beneficial to the trade of the country, and that the importation of fraudulently marked goods had been materially diminished. Several proposals for the amendment of the Act, some to make it more stringent, and some in the contrary direction, were put before the Committee, and were almost in every case rejected by the Committee which, with practical unanimity, advocated the amendment of the Act in regard to two points only. Two defects were pointed out. In the first place, there are a certain number of articles of a perishable or consumable kind which cannot by their nature be the subject of trade marks, and there is, therefore, a difficulty in getting sufficient evidence to warrant the Customs authorities, in whose hands the enforcement of the Act is placed, in taking action with regard to them. There are also cases which do not affect individual trade marks, but which are cases rather of adulteration or fraudulent misrepresentation of the quality of the goods as being different to what it really is. In the second place, there are cases which do not so much affect individual interests, but rather the general interest of the community, or a considerable section of the community, or a large section of trade, and, therefore, it is unfair and improper that the onus of prosecuting should be placed upon individuals. The object of this Bill is to remedy those two defects. It has only two clauses, the first of which provides that the Customs' entry shall be held as sufficient evidence to prove the fraudulence of the trade mark or the trade description. The other clause enacts that regulations may be made providing that in cases which appear to the Board of Trade to affect the general interests of the country, or of a section of the community, or of a trade, prosecutions for offences under the Act may be undertaken by the Board of Trade. Of course, that is a power which must be exercised with great care and under definite conditions and regulations. The same clause provides a power to the Board of Trade, with the concurrence of the Lord Chancellor, to make regulations for putting in force this part of the Act. I may mention to your Lordships that this Bill has passed absolutely unopposed, and without any alteration whatever, through the other House of Parliament, and I think, therefore, I may appeal to your Lordships with confidence to give it a Second Reading.

Bill read 2ª (according to order), and committed to a Committee of the Whole House on Friday next.

ARMY SCHOOLS BILL.—(No. 83.)

House in Committee (according to order); Bill reported without Amendment; and re-committed to the Standing Committee.

ELECTORAL DISABILITIES REMOVAL BILL.—(No. 85.)

Read 3ª (according to order), and passed.

SALE OF GOODS BILL. [H.L.]—(No. 48.)

House in Committee (according to order); Bill reported without Amendment; and re-committed to the Standing Committee.

CHARITIES (RECOVERY) BILL.—(No. 84.)

SECOND READING.

Order of the Day for the Second Reading, read.

Lord HERSCHELL: I have to ask your Lordships to give a Second Reading to this Bill which has come from the other House, and which I believe has the support of the noble and learned Lord on the Woolsack as it had the support of the Government in the other House. The object of the Bill is this: It frequently happens that small sums are due to charities which remain unrecovered because the trustees of the charities have no funds for the purpose of, and are, of course, unwilling to incur expenditure in, enforcing payment of them. The only means now of recovering payment is by proceeding at the instance of the Attorney General, which is a cumbrous and expensive process. This Bill proposes that the Charity Commissioners themselves may, with the sanction of the Attorney General, by a simpler method, take proceedings for the recovery of these sums in any case where the gross annual income of the charity does not, in the opinion of the Commissioners, exceed £20 a year. The only other clause (except one providing for practice and procedure) provides for making Reports of the Charity Commissioners *primâ facie* evidence, leaving it open, of course, to any person to shew that they are not in accordance with facts.

Bill read 2ª (according to order), and committed to a Committee of the Whole House on Thursday next.

DRAINAGE AND IMPROVEMENT OF LAND (IRELAND) BILL.—(No. 96.)

LAW AGENTS (SCOTLAND) BILL.—(No. 97.)

Brought from the Commons; read 1ª and to be printed.

COMPLAINANTS' FEES IN SUMMARY JURISDICTION CASES.

OBSERVATIONS.

***The Duke of St. ALBANS**: My Lords, I wish to call the attention of Her Majesty's Government to the question of the payment of fees by complainants in summary jurisdiction cases; and to ask Her Majesty's Government whether they will introduce a Bill authorising the Justices, in their discretion, to make an order remitting such fees as cannot be dealt with under the 14th and 15th Vict. chap. 55, sec. 12, or under the 8th section of the Summary Jurisdiction Act, 1879. I would point out that though in Summary Jurisdiction cases when the costs are paid by the defendant the complainant receives the fees paid and payable, yet in many cases where the defendant goes to prison the complainant is fined to that amount. It is true that under the 14 and 15 Vict., chap. 55, section 12, the Magistrates have power to remit fees for poverty or other reasonable cause; but in most counties it is understood that the reasonable cause is to be either poverty or some cause *ejusdem generis*. In Notts and Norfolk the Magistrates are advised that this Act would not legally allow them to remit the fees in the event of the defendant going to prison in cases of trespass, assault, poaching, or of a colliery owner convicting miners of infraction of rules. I understand that this has also been considered to be the meaning of the Act in several of the northern counties, but I am told that in Huntingdonshire the words "reasonable cause" are understood to cover a variety of circumstances. If that is also the legal meaning of the Act, further legislation is unnecessary; but one does not require to be a lawyer to recognise that those various readings in different counties cannot all be correct, and they seem to show that the law on the subject is somewhat vague. It is desirable there should be uniformity of procedure among Magistrates in the different counties, and therefore I trust

I am not presumptuous in asking the Lord Chancellor to give an opinion as to the right interpretation of the Act as regards the words "reasonable cause," which are no doubt vague. I confess it seems to me, if the Magistrates had power under 14 & 15 Vict. to remit costs the provision in the 8th section of the Summary Jurisdiction Act, which enacts that in the case of a fine not exceeding 5s., an order shall not be made for payment of any costs by the complainant unless the Court thinks fit to expressly order otherwise, appears to have been unnecessary. I have seen a circular which has been sent round from the Home Office calling attention especially to the payment of these fees, and pointing out how very disproportionate in many cases the amounts appear of fines levied in regard to the questions involved. I cannot help reminding your Lordships that in these cases of summary jurisdiction the procedure presses very hardly upon poor persons. They have often, in the first place, great difficulty in collecting the half-crown which is necessary for the summons; then they have perhaps to spend a day or the best part of one in getting the summons, and a second day when it is heard before the Magistrates. On that ground it seems to me that the matter is worthy of consideration. To illustrate my meaning I would quote two cases which lately came before the Magistrates, in both of which the defendant was convicted. One was a case of stealing two penny loaves. In that case all the fees were paid by the Local Authority, and being a felony, the complainant's witnesses also. The other was a case of grievous assault, and, the defendant going to prison, the complainant had to pay the costs. That is to say, the defendant was sent to gaol and the complainant was punished, to the extent of a heavy payment. I do not know whether this is the law, it is certainly not justice, and I have ventured therefore to ask the question which stands in my name.

THE LORD CHANCELLOR: My Lords, I have some difficulty in fully explaining this matter without going into it at greater length than the noble Duke probably desires, but I am afraid I must do so in order to make my answer intelligible. The policy of the law with reference to the minor offences which are tryable by Justices at Petty Sessions has left us very much in the position in which all offences against the law used to be; but with respect to felonies and serious offences this has long since passed away. That is to say, the public obtained justice at their own expense. With regard to the minor offences which come before the Courts of summary jurisdiction the position is still the same, and it would be a very wide question of policy indeed to say whether that should be altered. Personally I am disposed to think it is somewhat illogical that anyone should be put to any expense for the performance of a public duty. That is only my private and pious opinion upon the subject, and I cannot, of course, expect that everybody will take that view. Speaking generally—I will come to the specific question asked, in a moment—the position is this: The noble Duke, I think, confuses two quite separate things, costs or fees and expenses. To some extent, no doubt, fees are expenses of administration. If the arrangement made were carried out with regard to these fees, they would go to the Chancellor of the Exchequer instead of being paid to the Magistrates' clerk. As the noble Duke is aware, some time ago the system by which fees went to the officers engaged in the administration of justice was altered, and the fees go to the Exchequer. So much for the fees.

*THE DUKE OF ST. ALBANS: They go to the county now.

THE LORD CHANCELLOR: They did, as a matter of fact, go to the county, but they go now to the Exchequer. The Acts of Parliament on the subject are two. By the Summary Jurisdiction Act of 1879, which I do not understand the noble Duke to say has been the subject of doubt, the very question raised appears to be determined by the language of the Statute itself, which says that—

> "Where a fine adjudged upon a conviction by a Court of summary jurisdiction to be paid does not exceed 5s."

then, so far as the Court does not think fit expressly to authorise it,

> "An order shall not be made for payment by the defendant to the informant of any costs;"

but it goes on to provide that—

> "The Court shall, as far as they think fit to expressly order, otherwise direct all fees pay-

able or paid by the informant to be remitted or repaid to him, and the Court may also order the fine or any part thereof to be paid to the informant in or towards the payment of his costs."

I confess it seems to me impossible to make the construction applicable to that section clearer by any words of mine. I think it means exactly what it says. The answer to the question which the noble Duke has put upon the Paper seems to me to be this. He suggests that some learned persons have expressed their view that the Magistrates ought not to remit the expenses or fees paid by informants unless there is a special reason for it. It seems to me the Act of Parliament says exactly the reverse, and that they shall receive the penalty unless an express order to the contrary is made in the matter. So far the Legislation seems to be clear. But with reference to the earlier Act, there you are dealing with a different subject matter, and upon that I think the question does not admit of so easy a solution, because there you have general words in addition to the enumerated classes of things. That is supposed to limit a great deal the operation of the general words expressing what the noble Duke has rightly, I think, described as the principle of *ejusdem generis*. Although I do not deny as a matter of reasoning that the question is not so easily solved, and I will state why in a moment, practically the question does not seem to me to be of much importance, except that the Magistrates, it is said, take different views of it. I do not think so for this reason; that the only case which the noble Duke has given as an illustration of the necessity for a revision of the law, is one which is expressly provided for by the Act. As a matter of reasoning and language, I entirely agree with what the noble Duke has said; but I should have been glad had a concrete case been cited, for when he illustrates his statement of the necessity for new legislation on the subject, I can only repeat that the very example which he gives of the difficulty persons have in collecting the money to enable them to pay the fees for taking out summonses and so on, and not being in a position to take the required steps satisfactorily, is the specific thing which is provided for by the Act. I confess, before being called upon to express an opinion upon the true construction of the language, I should have been glad if the noble Duke had given us a concrete illustration of what he calls "the other reasonable cause," in addition to poverty which would induce Magistrates to interfere. It would, I think, have been more convenient to give a case which would have shown whether or not those words would include it. I do not deny the usefulness of prescribing a course which would enable Magistrates to take a uniform view; but may I be permitted to observe that it would be much more convenient if we were to raise that question in a Court of Law, so that it might be properly decided. If it should be decided that there can be no reasonable cause but poverty that is one thing, but it may involve a question of policy whether it is desirable that anything but poverty should excuse an informant from the necessity of paying the required fees. It is desirable, therefore, that they should have that subject under their consideration. Supposing it should be decided that it is only poverty that can be regarded, that is one view, and that would induce uniformity of practice among the Magistrates. I said I would in frankness deal with the noble Duke's difficulty, and I agree the question is not free from doubt, but I do not wish to commit myself in any way in case the question should come before me in my judicial capacity. What is the genus, of which there is one example given? I confess I feel a difficulty upon those words "poverty or other reasonable cause." Of course if those words are intended to be disjunctive, and any other cause may be deemed reasonable by the Magistrates, the difficulty is solved: if it means any other cause *ejusdem generis* with poverty I confess I am at the present moment absolutely hopeless of being able to give a true solution of it, because I am unaware what the causes *ejusdem generis* with poverty are. If it is poverty, that is one thing, but the Statute seems to consider there is another thing, and I cannot say that I am able to cut down the one by the other. Certainly, as far as my own opinion goes, it seems to me the true construction of the Statute is that poverty shall be one cause undoubtedly, and it is left to the discretion of the Magistrates to say what to their mind is beyond that a reasonable cause for taking the course prescribed. I have only further to say that I give that answer to the noble Duke with the full reservation to myself of the right, after hearing argument, of deciding exactly the other way.

House adjourned at Six o'clock, to Thursday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Tuesday, 21st April, 1891.

The House met at Two of the clock.

PRIVATE BUSINESS.

GREAT NORTHERN RAILWAY (IRELAND) BILL.—(*by Order.*)

Motion made, and Question proposed, "That the Bill be now read a second time."

*Mr. JORDAN (Clare, W.): In rising to move that the Bill be read a second time on this day six months, I very much regret the necessity which compels me to take this course; but it arises simply from the fact that we have not been able to secure a satisfactory arrangement with the company. The company seeks powers (page 2 of the Bill) to divert a public road to Newry, to abolish a level crossing, and to acquire additional lands at Enniskillen in the county of Fermanagh, for the purpose of their undertaking. They say the powers they ask are for public and local convenience. That is the ostensible reason for which they promote the Bill, and if this were an honest effort to meet the requirements of the public, no one would be more willing than myself to assist them. But, in my opinion, their object is not to meet the local and public convenience, but to provide the minimum of convenience to the maximum of dividend. My charge against them is that they are adopting a cheese-paring policy, that their line and stations are untidy and insanitary, that their accommodation for third class passengers is inadequate and discreditable, and that their train service is insufficient for local purposes.

Sir E. WATKIN (Hythe): I rise to order. I wish to know if it is competent for the hon. Member to discuss the whole works and policy of this company upon a Motion for the rejection of a Bill which relates only to certain particulars and which is to be referred to a Select Committee.

*Mr. SPEAKER: I do not think that the hon. Member, although he is entering into a wide field, is altogether irregular. The Bill is down for Second Reading.

*Mr. JORDAN: I was about to point out that this company have provided neither sufficient lavatory nor urinal accommodation for their passengers. In most cases their third-class carriages are not only old, but badly constructed and filthy, and they provide compartments with 8 or 10 rows of seats, instead of two, as you have in England, with draughts which, especially in winter, are insufferable. Then, again, there is an insufficient arrangement for smoking and non-smoking compartments, to go into a non-smoking compartment is no protection against smokers, and the carriages are not upholstered as they are in England. I fail to see why a rich company paying 5 or 6 per cent. should not adapt their usages to those of England. I know it may be said that the company propose to alter this, but it is only a bare effort, and the seats upholstered as a trial were never so intended, and when upholstered will be too narrow and perpendicular. Then, again, there is very inadequate provision for the company's workmen, and they are allowed to enter the ordinary carriages in the dirtiest weather in their ordinary working clothes. [*A laugh.*] I quite understand that. The aristocracy know nothing about third class travelling, but in Ireland we are not overburdened with wealth, and we desire to make that which we have go as far as we can. For my own part, I would rather travel third class and be independent, than travel first on other people's money; but I do not object to workmen as such, but coming and going to their work, and in their working dress, they should have separate compartments. The train service by this company is most defective. No train arrives at Enniskillen from Dublin, Greenore, Dundalk, Belfast, and intermediate stations earlier than half-past 11 o'clock in the morning, and there is no train to those places from Enniskillen later than 4.25. Yet the company say that they are anxious to secure the convenience of the public. There can be no wonder that the trade and commerce of the district do not flourish when so little provision is made for it. Enniskillen has a population of 5,000 or 6,000, two weekly markets, a monthly fair, two Courts of Assizes, County Court sittings, and a sitting of the Land Commission every year. The Courts sit from 10 o'clock in the morning until 5 or 6 in the evening, and Judges demand the attendance of suitors, witnesses, and solicitors long before the arrival of the first train, detaining them until long after the departure of the last. The result is, that all of them have to drive into the town, or to remain until the following morning. Then, again, there is a flourishing school.

*Mr. SPEAKER: Order, order! I think the hon. Member is now going into too much detail. He is certainly exceeding the usual limits in giving reasons for moving the rejection of the Bill, and in opposing the powers asked for by this Railway Company.

*Sir E. HARLAND (Belfast, N.): I wish to inform the hon. Member that the Ardee branch of the Bill has been withdrawn.

*Mr. JORDAN: As I was about to remark, at Enniskillen we have a large school.

*Mr. SPEAKER: I have already pointed out to the hon. Member that it is irregular to enter into these minute details.

Mr. SEXTON (Belfast, W.): By Clause 70 of their Bill the company ask for power to raise £120,000 additional capital, and also to borrow on mortgage, and I would humbly submit that in regard to these large powers it is legitimate to refer to their policy in the past.

*Mr. SPEAKER: The points raised by the hon. Member are details unsuitable to be urged in opposition to this Bill, and the particular objections he was making when I interposed were rather for the consideration of the Railway Commissioners.

*Mr. JORDAN: As the company asks for large and extended powers on the ground that they are anxious to make provision for the public convenience, I thought the manner in which they have provided for the public convenience in the past was a legitimate question to raise. Deputations from this part of the country have waited upon the Directors to endeavour to secure the reforms I have indicated, but I am afraid that their representations have been received with very scant courtesy. We have asked for the 7.15 train to be continued from Enniskillen to Clones in the evening. They now stop at Enniskillen, and we ask that they should go on 26 miles further to Clones, and for a train to leave Clones so as to arrive at Enniskillen between 9 and 10 in the morning, to suit pupils to the various schools and all others having business there.

*Mr. SPEAKER: Order, order! The hon. Member is directly violating the ruling I have given, and is pursuing exactly the same line of argument.

*Mr. JORDAN: I have no desire to trespass upon the patience of the House or to prevent this company from getting their Bill. My only hope was that before the House consents to entrust them with such large and extended powers as the powers of borrowing money on mortgage and of raising additional capital, it would demand that some guarantee should be given as to their future course. I beg to move that the Bill be read a second time on this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question, to add the words, "upon this day six months."—(*Mr. Jordan.*)

Question put, "That the word 'now' stand part of the Question."

(2.20.) The House divided:—Ayes 123; Noes 35.—(Div. List, No. 144.)

Main Question put, and agreed to.

Bill read a second time, and committed.

QUESTIONS.

RE-BUILDING OF CORK COURT HOUSE.

Mr. M. HEALY (Cork): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether an Act of Parliament will be necessary to enable the Cork Court House to be re-built without delay; and what steps the Government propose to take in the matter?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): An Act of Parliament will be necessary for the purpose mentioned in the question of the hon. Gentleman. The provision to be made therein is now under consideration.

LORD ORMATHWAITE AND HIS TENANTS.

MR. STACK (Kerry, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the proceedings by distress taken by Lord Ormathwaite against one of his tenants, named Daniel Regan, of Coolaclarig, in the County of Kerry; whether he is aware that in the face of the fact that Regan had paid a year's rent in each of the years 1887, 1888, and 1889, a year and a half's rent in 1890, and a half-year's rent in March 1891, Lord Ormathwaite has just distrained Regan for one year's rent, which only fell due on the 25th March last, and seized Regan's cattle in payment thereof; whether the protection of the police was given to enable the seizure to be effected; and whether the Government will consider the advisability of amending the law of landlord and tenant, so as to prevent a distress being made for at least six months after rent falls due?

MR. A. J. BALFOUR: My attention has not been called to the proceedings referred to in the question, nor do I think it is a matter in which the Executive is concerned.

RELIEF WORKS IN ROSCOMMON.

DR. COMMINS (Roscommon, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any, and what, relief works have yet been commenced in the County Roscommon; whether the condition of the people in several districts of that county has been reported by the Boards of Guardians and the Government Inspectors who visited them as one in which acute distress is imminent, and no sufficient means in the hands of the Poor Law Authorities to meet such distress; whether, as a means of meeting it, the Government has had their attention called to the steps taken and the guarantees given by the Grand Juries for the construction of a light railway from Dromod to Strokestown and Roscommon; and whether, if that project be revived, it would now receive the approval of the Privy Council?

MR. A. J. BALFOUR: No relief works are in operation at present in the County of Roscommon, but the condition of that county is now engaging the careful attention of the Government. It is not possible to say what the action of the Privy Council will be in the event of the project referred to by the hon. Member being revived.

MR. DE COBAIN.

MR. T. M. HEALY (Longford, N.): I beg to ask the Attorney General for Ireland whether any persons have been convicted as accessories, or are awaiting trial as such, in the offence for which a warrant has been issued against the hon. Member for East Belfast?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The warrant in question was issued for the offence of inciting to the commission of the felony. There was no evidence implicating any persons as accomplices.

MR. T. M. HEALY: May I ask what is the date of the warrant issued against the hon. Member, and what is the date of the alleged offence?

MR. MADDEN: I cannot give an accurate reply unless the question is put on the Paper.

THE ROYAL IRISH CONSTABULARY.

MR. T. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what is the explanation of the removal of the head quarters of the Royal Irish Constabulary for Antrim from Ballymena to Lisburn, and upon whose application was it done?

MR. A. J. BALFOUR: The removal of the head quarters of the Royal Irish Constabulary of the County Antrim from Ballymena to Lisburn has been for some time under consideration, and has been decided upon in the public interest. Next to Belfast, Lisburn is now the largest and most important town in the county; its population has within a few years largely increased. It is close to the Assize town where all the county Officers reside, and possesses the requirements necessary for the accommodation of the county head quarters of the Force. The change is being made on the recommendation of the Inspector General.

SCHOOL TEACHERS IN DURHAM.

MR. J. WILSON (Durham): I beg to ask the Vice President of the Committee of Council on Education whether he is aware that in Mr. Bernay's (Durham) district the teachers have to wait sometimes for a period of ten weeks between the examination of the school and the payment of the grant; and whether he will arrange for the grant to be paid within a shorter interval, seeing that it forms a considerable portion of the teacher's income?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The efforts of the Department are constantly directed to shortening the interval between the inspection of a school and the issue of the report. I am aware that Mr. Bernay's work is sometimes in arrear, but he has been more than once reminded of his duty in this respect, and the present delay is due to his having been ill for a fortnight in March. It would be easy for managers to prevent such accidents directly affecting teachers by pursuing the preferable plan of making their salaries independent of the grant.

NATIONAL DAY SCHOOLS.

MR. SCHWANN (Manchester, N.): I beg to ask the Vice President of the Committee of Council on Education whether at a National day school the rector of the parish has the sole right and power to appoint teachers, assistant pupil teachers, school cleaners, and other officials, or whether that right is vested in the whole body of managers, of whom he is one?

SIR W. HART DYKE: If the management of a school is regulated by a deed, the right to appoint teachers devolves on those who are therein described as managers, but in the absence of any such instrument, the right is, I believe, generally exercised by a Committee acting on behalf of the subscribers. The Department, however, have no power to determine in whom such rights reside.

Mr. A. J. Balfour

BORSTAL CONVICT PRISON.

MR. E. KNATCHBULL-HUGESSEN (Rochester): I beg to ask the Secretary of State for the Home Department whether the salary of the Governor of Borstal Convict Prison was reduced on his promotion to that post from the post of Deputy Governor of Portsmouth; and, if so, whether it is customary to reduce the salary of officers when thus promoted?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): By rules made under the Superannuation Act of 1887, an officer drawing an Army pension is made liable to a deduction of not less than 10 per cent. of his civil pay, if appointed after the date of the Act. A transfer to a new office in the same Service is equivalent to a new appointment. The result is that in this case, though the pay of the new office is higher than than of the office vacated, the appointee receives less, and will continue to do so until the salary of his new office rises by annual increments to its full amount.

SOUTH WALES MINES.

MR. D. THOMAS (Merthyr Tydvil): I beg to ask the Secretary of State for the Home Department if, in filling up the present vacancy in the South Wales Sub-inspectorship of mines, he will, in addition to giving, *cœteris paribus*, preference to candidates having a knowledge of the Welsh language, as provided by Section 39 of "The Coal Mines Regulation Act, 1887," also bear in mind the great desirability of appointing an Inspector with thorough knowledge of the peculiarities of the South Wales coal measures, and having some practical experience of the methods of mining employed in the district, such as that possessed in an eminent degree by the late Mr. Randell; and when the appointment will be made?

MR. MATTHEWS: The hon. Member may rest assured that in filling up the vacancy referred to I shall not lose sight of the two important considerations of which he is good enough to remind me; and I hope to fill up the vacancy before long.

WOMEN'S SUFFRAGE BILL.

MR. HALDANE (Haddington): I beg to ask the First Lord of the Treasury whether it is the intention of the Government to propose the Adjournment of the House for the Whitsuntide Recess on a date subsequent to Wednesday, May 13th, on which date the Women's Suffrage Bill stands as First Order of the Day, and to leave that date as a Private Members' day?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I received a deputation on this subject yesterday, and I informed them that the Government did not intend to propose the Adjournment of the House till after the 13th of May, that, so far as I could foresee, there would be no necessity for the Government to appropriate the 13th of May, which would therefore remain a Private Members' day, but that I was not in a position to give a definite pledge on the subject.

PUBLIC BUSINESS.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I wish to ask the First Lord of the Treasury a question of which I have been unable to give notice. I see that the Government have put down for Wednesday a rather controversial measure connected with the London County Council. I wish to ask whether it is not unprecedented, or, at all events, unusual, to put down for Wednesday, which is a Private Members' day, a Government Bill which must take a considerable time in discussion? Does not such a course trench unfairly on the rights of Private Members?

*MR. W. H. SMITH: I have very little doubt that there is a precedent for the course which the Government have taken; but I am unable to refer the hon. Member to any without notice. It is not at all an uncommon thing for Private Business to be taken on Wednesday, and the Bill to which the hon. Member refers is in the nature of Private Business, though the President of the Local Government Board makes a Motion. But I have no doubt that the President of the Local Government Board will move the Adjournment of the Debate at a reasonable hour in the afternoon, so as to give an opportunity for the consideration of the next business on the Paper.

MR. S. T. EVANS (Glamorgan, Mid): The first Motion stands in my name, and I should like to know whether the right hon. Gentleman will state positively that, if the Debate on the Private Business is likely to take much time, the adjournment will be moved so as to enable a Division to be taken on my Motion.

*MR. W. H. SMITH: The Private Business has been put down at the request of the County Council, and a further postponement of the Order might greatly imperil the County Council's financial plans. [*Cries of* "Thursday!"] I could not consent to put down the Bill for Thursday. Five and a half hours is time sufficient to allow of adequate debate on the hon. Member's Bill.

MR. SEXTON (Belfast, W.): May I ask what will be the business at the Morning Sitting next Friday?

*MR. W. H. SMITH: We hope to dispose of the Budget Statement on Thursday, and then we shall proceed with the Land Purchase Bill on Friday.

MOTIONS.

CROFTERS' COMMON GRAZINGS (SCOTLAND) BILL.

On Motion of Mr. Munro Ferguson, Bill to regulate Crofters' Common Grazings in Scotland, ordered to be brought in by Mr. Munro Ferguson and Mr. Donald Crawford.

Bill presented, and read first time. [Bill 287.]

LEASEHOLDERS (IRELAND) BILL.

On Motion of Mr. M'Cartan, Bill to amend the Law relating to Leaseholds in Ireland, ordered to be brought in by Mr. M'Cartan, Mr. Sexton, Mr. T. M. Healy, Mr. Knox, Mr. Pinkerton, and Mr. Tuite.

Bill presented, and read first time. [Bill 288.]

HOUSES IN TOWNS (IRELAND) BILL.

On Motion of Mr. M'Cartan, Bill to amend the Law relating to the tenure of Houses in Towns in Ireland, ordered to be brought in by Mr. M'Cartan, Mr. Sexton, Mr. T. M. Healy, Mr. Thomas Dickson, Mr. Knox, and Mr. Pinkerton.

Bill presented, and read first time. [Bill 289.]

PRIVATE BILL PROCEDURE (SCOTLAND) BILL COMMITTEE.

Ordered, That Mr. Campbell-Bannerman be discharged from the Committee.

Ordered, That Mr. Duff be added to the Committee.—(*Mr. Arnold Morley.*)

ORDERS OF THE DAY.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

COMMITEEE.

Considered in Committee.

(In the Committee.)

Clause 2.

Amendment proposed, in page 2, line 32, to leave out from "Fund," to end of sub-section (3).—(*Mr. Keay.*)

Question again proposed, "That the words

> "Provided that where a sum is applicable out of the guarantee deposit for the discharge or reduction of an irrecoverable debt ' stand part of the Clause."

(2.55.) MR. J. MORLEY (Newcastle-upon-Tyne): I hope that the Government will give the Committee a reasonable explanation of the operations which the Amendment deals with. The Chief Secretary and the Government seem to think that because the measure is one of the most complex Bills ever brought before the House, therefore the explanation to be vouchsafed ought to be as little as possible. The Bill itself contains the maximum of difficulties, and we have had a minimum of explanation and interpretation. I think the Committee are entitled to a full explanation of what the operation of this clause will be. We heard last night about irrecoverable debts which come into existence on the default of the tenant. A default takes place, and the Land Commissioners declare that it is an irrecoverable debt. Now, I am not sure what constitutes an irrecoverable debt. An irrecoverable debt was defined in the Act of 1889. I suppose we may take it that the first step in a case of default is to sell the holding; then, having sold, the proceeds of the sale are to be paid into the Guarantee Fund. I want to know whether the tenants' insurance money is to be the first resort? There are no specific instructions in the Bill as to what is to be done with the tenants' purchase money, except that it is to be paid into the Sinking Fund. The Lord Lieutenant is then empowered to take it from the Sinking Fund, and to apply it as a set-off against a default; but unless the Lord Lieutenant is satisfied that there is a representation from the locality, I gather that the tenants' insurance money is not available. The holding being sold and the money being paid into the Guarantee Fund, then you proceed, in order to make good the default, to attack the Guarantee Fund, and I want to know what will happen when you attack that fund. Of what does the Guarantee Fund consist? It consists of the county percentage, the Exchequer contribution, and the Probate Duty grant, but there is nothing in the Bill to tell us when the landlord's deposits are to find their way into the Guarantee Fund; whether they are to go in at once or only in case of default. It is quite clear that a common Stock is not created out of all these contributions. These questions are quite vital, and they show the importance of the Amendment we are now discussing. It was suggested last night that the landlord would suffer a hardship in having to make these deposits. It is not so at all. The guarantee deposit is simply a compulsory investment of one-fifth of the purchase money in Government Stock, bearing 3 per cent., and the only drawback is that the landlord cannot sell out under 18 years. Surely that is not a position of very great hardship. Under the arrangement proposed, the landlord would be able to realise, which he would not be able to do but for the resort to British credit. It is only the resort to British credit which enables him to realise. In these circumstances I fail to understand why, when the tenant makes default, the landlord's fifth should not be liable for the whole, as is the case under the Ashbourne Act, instead of for half of the deficit. The answer of the Government is one of the most paradoxical of the many paradoxical answers which they have given about the Bill; namely, that you ought only to take one-half of the landlord's guarantee deposit, because the local ratepayers will now be compelled to become a collateral security. Why should the ratepayer, who gave no assent to the bargain, and who, for ought we know, may be altogether opposed to it, be compelled to become a co-guarantor with the landlord, who entered into the bargain with his eyes open? I can see no reason why the landlord should not incur the same liability under this

Act that was imposed upon him by the Ashbourne Act. If the bargain entered into between the landlord and tenant falls through, both ought to be made to pay before the Guarantee Fund is called upon to make good the default. The proposal of the Government will confer a new and a special advantage upon the landlord. It is most unfair to place a burden upon the ratepayer until you have exhausted all the available resources of both parties to the bargain. I am not prepared to say that the tenants' holding ought to be sold before you come upon the guarantee deposit, but this I will say: that a bargain having been made between the landlord and tenant, and the State having lent money to carry that bargain out, if the bargain falls through both ought to pay forfeit before you come upon the State or the locality. As the Bill stands you are safeguarding the Imperial Exchequer at the expense of the localities, and you are doing so in order to confer a new and special advantage upon the landlord. I am perfectly willing to protect the guarantee deposit in which the landlord has placed one-fifth of the money, but I am not willing to protect it at the expense of the ratepayers who have never been consulted.

(3.10.) The CHIEF SECRETARY for IRELAND (Mr. A. J. Balfour, Manchester, E.): There are two questions before the Committee — one is the character of the proposals in the Bill and the other is whether these proposals are justifiable or not. Last year the discussion was carried on, not so much in reference to the merits of the proposals as to their immensity. If hon. Members desire to have a clear perspective of the financial proposals of the Bill, the most convenient way will be for them to look upon the Guarantee Fund as relating to two different matters—one the temporary charges made upon it, and the other the permanent liabilities it will have to bear. The order in the two cases is quite different. In the temporary case the Imperial Exchequer stands absolutely first, while in the permanent order the Exchequer comes last. What we are now concerned in is not the temporary but the permanent order, in which the liability will have to be borne by the various parties. That permanent order I take to be this: if the tenant makes default he will be sold up. The Insurance Fund which may have accumulated will not be taken as an Insurance Fund by the Government for the purpose of redeeming the debt. Nevertheless, the holding may be sold liable to the annuity, and, taken in conjunction with the fact that the Insurance Fund is part of the annuity, it will enable the holding to be sold for a larger sum than if there were no Insurance Fund. In that sense, and in that sense only, the Insurance Fund comes in on part of the tenants' assets. Let me now come to the position in which the landlord stands. It is undoubtedly true that it remains more or less in the discretion of the Land Commissioners as to the way in which proceedings are to be taken for the recovery of the debt, and it is true that the local contributions stand before the landlord in the temporary order of charge. They do not stand before it in the permanent order of charge but on an equal basis. In other words, if there be a default, and the sale of the holding is not sufficient to meet the liability, the Guarantee Fund undoubtedly becomes responsible. The landlord's fifth is there, and it cannot escape the grip of the Land Commissioners. The right hon. Member for Newcastle (Mr. J. Morley) says there is no hardship inflicted on the landlord in the retention of the fifth part of the purchase except that he is prevented from working it. The landlord's fifth and the Guarantee Fund would then have to make good the deficiency equally between them. The question is, ought the landlord who has no control over the tenant to be compelled to make good the whole of the default of the latter? Would it be just to make the seller of a business liable for the default of the purchaser for a period of 18 years? In any business in the world in which 1,000,000 persons were engaged there would always be a large number of cases in which, from incompetence, carelessness, idleness, or bad habits, failures would occur. Whether that is an argument against the Bill or not, at all events it is equally an argument against every conceivable form of land purchase. The present scheme has the merit of providing some species of insurance in cases of failure which may arise from undeserved misfortune. One of the most probable causes of default, it has been said by hon. Gentlemen opposite, is some species of conspiracy. That is the mainstay of the hon. Member for Northampton (Mr. Labouchere). The landlord for 18 years may not have set foot in Ireland. [*Ironical cheers from the Irish benches*]. Hon. Members cheer that because they think I am referring to absentee landlordism. ["No!"] They could have cheered it for no other reason; but they seem to forget that, by the hypothesis, the landlord will have been bought out and will have no further interest in the locality. A conspiracy in that locality could only have force and effect if backed up by public opinion, and for that the landlord could have no responsibility. These arguments lead to the conclusion in the Bill that the risk should be shared equally by the landlord and the locality. I wholly fail to understand why, if there are two guarantors, they should not equally share the risk. I do not deny that in many parts of Ireland there is no general market for land, but I do not know that the landlord is to blame for that. Such an abnormal system is probably more due to the locality than to the landlord. The state of things with regard to land in Ireland is unprecedented, and some part of the blame for that state of things, as blame I think there must be, should be shared by the locality. I hope the Committee will be of opinion that I have clearly explained the provisions of the Bill, and that the reasons I have given are not unworthy of consideration.

(3.25.) MR. SEXTON (Belfast, W.): The right hon. Gentleman says that an unprecedented state of things exists in Ireland in regard to land. The unprecedented state of things to which the right hon. Gentleman refers is due to the unsuitable system of land law imposed upon Ireland, and to the abuse by the landlords of the powers intrusted to them. The system you are now trying to reform is, in the first instance, responsible, and, next, the misconduct of the landlords themselves. As to conspiracy, the Government have a very easy and effective means of preventing it. They have only to give instructions to the Land Commissioners to see that the bargains between landlord and tenant are fair, and the desire of the tenant to possess his holding will make conspiracy impossible. No one knows better than the Chief Secretary that there is an intense desire for the possession of land in Ireland. People who have the land have a passionate desire to keep it, and the desire will become still more intensified when the tenant is made the owner. The effect of the proposition contained in the Bill, as compared with the Ashbourne Act, will be that whereas under the Bill a tenant purchasing a holding at 20 years' purchase would have to make default for ten years before the guarantee deposit fund would become exhausted, under the Ashbourne Act the fund will become exhausted in five years. A tenant at £5 a year rental buys a farm for £100. For that £100 he owes the State £4 a year, and he pays the annuity at the rate of £2 half yearly. In that transaction the landlord makes a deposit of £20. If the tenant failed to pay one of the instalments, under the Ashbourne Act, he might be proceeded against by civil process, or £2 might be taken from the guarantee deposit. A failure to pay the half-yearly sums for five years would exhaust the guarantee deposit. Now, however, if the tenant fails to pay you say, for no earthly reason, "There is £2 due, but although we have £20 in the guarantee deposit we will only take £1 and take the other £1 from the local rates contributed by persons who derive no benefit whatever from this transaction." The difference is simply this: Under the Ashbourne Act the landlords' guarantee deposit would be exhausted if the tenant failed to pay in five years, whereas under this Bill the tenant would have to fail to pay for 10 years before the guarantee deposit was exhausted. The right hon. Gentleman opposite said "We treat the two guarantors alike," meaning first the landlord and, secondly, the locality. But there are other guarantors, and do you treat them alike? There are the landlord and the tenant, nominally, parties to a free contract in which they are the individuals concerned, and you ought to treat them alike. The right hon. Gentleman drew a distinction between the temporary and permanent order of guarantees, but I attach little importance to it. His argument as to the permanent order did not improve his own case, for he said—

"When you sell the holding which you should do before you come on the guarantee deposit, you not only sell the holding which is the guarantee of the tenant corresponding to the guarantee deposit, but you actually realise by the Act the value of the tenant's insurance fund. You compel the tenant for the first five years to pay at the rate of 20 years' purchase of a farm, even though he may have bought at 10 years' purchase. You lodge that insurance money in your funds to lower the amount of the annuity on the farm in future years, and then when you sell the farm the new purchaser buys it, subject to the fact that the annuity paid to the State in future years will be less than it would have been if the tenant had not been obliged to find that insurance money."

Does it not follow, then, that you realise the whole of the value of the insurance money you have taken on the sale; and applying the axiom of the right hon. Gentleman that the guarantors should be treated alike, why do you exhaust the land and cash of the tenant and then take only half the guarantee of the landlord? If you drain out the tenant when he comes to default, the landlord ought also to be drained out. And this is more especially the case when you consider that the Bill is brought in for the benefit of the landlord. ["Oh, oh."] Yes; the object of the Bill is to make saleable that which is unsaleable at present. By incumbrances and rent reductions by the Court, the landlords are not in a solvent condition, and this Bill is the only avenue by which their position can be made tolerable, and for this only way of escape they ought to run the risk with regard to this one-fifth. I say the tenants can better afford to wait for this Bill than the landlords, and if that is so, I hold that the landlords should stand the risk you judged they should in 1885 and 1888. That is one argument for equal treatment for the landlord and the tenant. Then I come to the other aspect of equal treatment as between the landlord and the locality. Why should they be put on a footing of equal responsibility in an affair of this kind? The landlord is a party to the transaction, a willing party and a profiting party. He is the party who has put the funds of the British Empire into his pocket by a transaction which would not have been possible except for this Bill. On every ground, therefore, the landlord should be held responsible for keeping up the guarantee deposit. But as to the locality, that is an unwilling party. ["No, no!"] Who says that the localities are willing to be fined for defaulting tenants?

MR. MACARTNEY (Antrim, S.): I say that the whole country is in favour of the Bill.

MR. SEXTON: How has the hon. Gentleman obtained that view of the opinion of the country? Has he taken in a vision the *plébiscite* which the Chief Secretary is unwilling to give us? I should require some evidence before I took the hon. Gentleman's view as to the opinion of Ireland, and in the meantime I hold myself quite as capable of forming a judgment as to the opinion of Ireland as the hon. Member. The landlord is a profiting party, and the locality is not. The landlord comes into the matter by a contract of his own, and you bring the locality into it by a breach of contract, for by an Imperial contract the money you propose to hypothecate to this purpose is the inalienable property of the people of Ireland. I protest against the theory that there is any parity between the responsibility of the individual who comes into this matter on the strength of a contract that is entered into voluntarily, and the locality that is dragged into it by a breach of contract. I believe that the whole secret of this monstrous proposal of cash and contingent guarantees is to be found in that system. The whole thing is due to your desire to safeguard the deposit of the landlords. I have not heard why the system which has been considered satisfactory and sufficient during the past six years is not satisfactory and sufficient now. If you were willing to make the whole guarantee deposit liable, there would be no reason to resort to this cash and contingent system, and no reason for our opposition to the Bill. What is good security for advances under the Ashbourne Act should be good security under this Bill. If the guarantee deposit is good security for thousands of persons under the Ashbourne Act, it is equally good security for the thousands of persons who will enter into similar transactions under this Bill. The effect of taking only half the guarantee deposit will be a local levy. In reference to the cash fund it will mean an increase of rates, and as to the contingent portion it will mean the dislocation of the Local Government arrangements in Ireland.

There will be sullen and stern resistance to the levy, and this contingent portion of the guarantee will, therefore, prove to be illusory. You will make this levy on three classes of Irish farmers. First, when the guarantee deposit is not sufficient you will levy, or try to levy, on men who have failed to pay their annuities to the State. That is absurd on the face of it. If they have not been able to pay their annuities to the State, they certainly will not be able to pay a special levy. Secondly, you will levy on the men who have paid their annuities, and to say to a man who has paid every penny he owes, "You have paid all you owe, but some other man has not and you must make good his default," is a negation of justice. In the third place, you will levy on the farmers of the country, who have not been able to purchase their holdings at all—and they will be the vast majority. Only one fourth of the farmers of Ireland will be able to buy, either because the landlords are unwilling to sell, or because there is no money to advance. Well, if the man who has bought fails to pay, you go to the other three and say, "You have not been allowed to purchase your holdings; you have to pay the old rents without reduction, nevertheless, because this man who has been allowed to use the credit of the State and secure a reduction is in default, you must make good that default." There is a point at which the public opinion of a country, even of a small country like Ireland, will become too strong even for a strong Government; and I maintain that this point is reached when you make this monstrous claim upon us. We shall hold it to be our duty to offer this unjust proposal the most strenuous resistance in our power.

*(4.43.) Mr. SHAW LEFEVRE (Bradford, Central): The Chief Secretary has exaggerated and misstated the arguments which I brought forward last night in speaking upon this Amendment. The Chief Secretary represented me as stating that the only cause of default that could be was excessive price. I never said anything of the kind. I was not dealing with the period of 49 years, because the period during which the defalcations are likely to occur is during the time the landlord's one-fifth is demanded on deposit, namely, 15 years. But I did state that experience of the Ashbourne Acts has shown us that in by far the greater number of cases excessive price is shown to be the cause of the defalcations. That statement I now emphatically affirm. The Chief Secretary maintains that neither experience of the administration of the Acts nor reason justify us in arriving at that conclusion. I will undertake to prove by figures which have been laid before the House in the form of a Return that my contention is indisputable. There are 34 cases of defalcation mentioned, and I venture to say that no one who goes through that list and compares the rents with the valuation and looks at the number of years purchase paid can fail to arrive at any other conclusion than that in the great majority of cases the defalcations were due to the excessive price paid and not to the neglect of the tenants. There were eight cases that I would call attention to especially, where not only have there been defalcations, but in which, when the properties were put up for sale, there was actually no price bid for the holdings. In these cases the aggregate purchase money was £15,800, the previous rental was £816, the valuation was £500, the price paid was 20 years' purchase, the landlord's one-fifth remaining in the hands of the Commission amounted to £3,160, the rent was, therefore, 45 per cent. above the valuation. In a year and a half the tenants were unable to pay, the Land Commissioners put up the holdings for sale, and they fetched nothing in the market. I can only say in these cases the prices paid were evidently excessive and the Land Commissioners should not have consented to the transaction. It is quite evident that in the cases alluded to the Land Commissioners have been deluded and have sanctioned these proposals without having the proper facts before them. I think that it is only fair in such cases that the landlord's one-fifth should bear the whole of the defalcations, and that the localities should not be saddled with the debt.

(3.50.) Mr. T. W. RUSSELL (Tyrone, S.): There are two parties on this side of the House; the first Party are those led by the hon. Member for Northampton (Mr. Labouchere), who maintain that there should be no risk to the Imperial taxpayer; and the second Party are those led by the hon. Member for West Belfast (Mr. Sexton), who maintain that there should be no risk to the Irish taxpayer. Hon. Gentlemen below the Gangway from Ireland want this £30,000,000 without security at all. Now, I put it, if the Imperial taxpayer is to have no risk, according to the hon. Member for Northampton, and if the Irish taxpayer is to run no risk, according to the hon. Member for West Belfast, how are the £30,000,000 to be had?

Mr. J. E. ELLIS (Nottingham, Rushcliffe): Drop the Bill.

Mr. T. W. RUSSELL: Exactly. Now I want the attention of hon. Members below the Gangway to that statement. They have been posing as friends of the Bill, but here is the hon. Member for the Rushcliffe Division who, when I put the inquiry to him, says "drop the Bill." Is that what hon. Members below the Gangway want?

Mr. SEXTON; Not at all. Our position is well known. We desire the Bill, and will have it on safe conditions, and we are not responsible for the opinions of the hon. Member for the Rushcliffe Division.

Mr. T. W. RUSSELL: Well, it is something to have elicited that the hon. Gentleman and those who sit beside him are willing to help hon. Members below the Gangway, although their object is to defeat the Bill, whilst hon. Members below the Gangway will not take that responsibility at present.

Mr. W. E. GLADSTONE (Edinburgh, Mid Lothian): The hon. Gentleman makes that assertion generally as applicable to Members sitting above the Gangway on this side of the House. For my own part, I must point out that what he says is totally contrary to every declaration made from this Bench and from elsewhere on these Benches.

Mr. T. W. RUSSELL: There are so many leaders on this side of the House that I must drop that part of the subject.

Mr. W. E. GLADSTONE: Hear, hear!

Mr. T. W. RUSSELL: When the Debate occurred last night the position taken up by the right hon. Gentleman the Member for Newcastle, and the position taken up by the hon. Member for West Belfast were somewhat different. As far as I can gather, the hon. Member for West Belfast objected to the tenants and landlords not being placed on the same footing as to liability. As far as I can get at the arguments of the right hon. Member for Newcastle, I think he was in a difficulty as to the order in which payments should be made in case of default more than anything else. Now, I never heard it stated clearly, and I want to know why the tenant who purchases and the landlord who sells should be placed in the same position. I have never heard that completely stated yet. What takes place? In the first place, the tenant is not forced to buy. If he buys at all, he buys at a rate which enables an immediate reduction in his rent of at least 20 per cent. What happens in addition to that? The landlord cannot sell unless the Land Commission approves of the terms of the bargain. Let us imagine a case. A tenant agrees to buy on terms advantageous to himself, involving the right to the freehold after 49 years, and, in addition to that, easiness of terms. That sale is agreed to by the landlord, and by the Land Commission on behalf of the State. Now, what is the proposal? The landlord has to leave his guarantee deposit, one-fifth of the purchase money, and, up to the present, under the Ashbourne Act, he has been liable to default to a certain point. The contention is, that he ought to be liable now in the same way. I hold that it is too much to assume, as the right hon. Gentleman the Member for Bradford does, that every default in Ireland must be due to the fact that the terms of the purchase are too high. One would imagine, to hear hon. Members talk in this House, that every Irish tenant was a saint, and every Irish landlord was a scoundrel. That is not the case. There are good landlords and very bad ones; but there are good tenants, and there are also bad tenants; and there is just as much liability of default from want of thrift, want of knowledge of farming, want of sobriety, and want of all the virtues which men require to have in this life, as there is liability to default from the extortion of the landlords. Take a case where the tenant is responsible for such default. Well, the landlord is not responsible; he has sold his land upon terms agreed upon; the transaction has been ratified by the Land Commissioners. Why should he be placed in the position of the man who is responsible for the default, and but for whom the default could never have occurred? I think that hon. Members below the Gangway, though they hate landlordism, should, at all events, try to be fair in dealing with men who are parting with their property at a great sacrifice.

An hon. MEMBER: It is a voluntary act.

MR. T. W. RUSSELL: Yes; it is a voluntary act in the face of the conspiracy in the South and West of Ireland. There is one difficulty. The hon. Member for the Rushcliffe Division has absolutely fallen into the trap again. The difficulty will not be to get the tenant to buy, but to get the landlord to sell. If there is to be any further difficulty placed in the way of landlords these sales in Ulster will become more and more improbable. I think the Attorney General for Ireland, in what he has said, has satisfied the right hon. Gentleman the Member for Newcastle as to the order in which these funds are to go to meet default. I will simply content myself by saying that these parties to the transaction are not in the same position. The hon. Member for West Belfast commenced his able speech by saying that it was the British taxpayer, the British Nation, that was responsible for the present condition of things.

MR. SEXTON: The British Government.

MR. T. W. RUSSELL: If the British Nation is responsible for the state of things that throws us back on the taxpayer; but the hon. Member for Northampton will have none of that responsibility, and will not have the British taxpayer involved in 1s. Therefore the hon. Member for Northampton answers the hon. Member for West Belfast. The hon. Member says the Government will settle all this, by seeing that the burdens are fair—that there will be no conspiracy against the payments if the burdens are fair. Coming from the hon. Member for West Belfast and those below the Gangway, that is equal to saying that if the tenants are allowed to fix the price there would be no difficulty. I say that is not fair. I have heard of seven years' purchase described by hon. Members below the Gangway, and I maintain that that is a very easy way of settling the question, if the Government are able to do it, but there can be no idea of justice in it.

(4.0.) MR. LABOUCHERE (Northampton): I am in favour of this Amendment, and opposed to the proposal as it stands in the Bill. The Chief Secretary said he had explained the matter according to his legal powers. I think the right hon. Gentleman explained it very clearly and very satisfactorily, as an explanation. What I complain of is, that the arguments he used in favour of his proposal were not as sound and as good as his explanation. Under the Ashbourne Act it was decided that the landlord should put up a fifth, and the Chief Secretary admits that there is an alteration, and also, I think, that the alteration is, as we say, in favour of the landlord. If the alteration were in favour of the tenant we should have gentlemen opposite from Ireland protesting, and naturally Gentleman from Ireland on this side protest that it is in favour of the landlord. That it most unquestionably is, and the *onus probandi* lies with the Irish Secretary to show why this alteration should be made for the benefit of the landlord, and that I contend he has not done. The Chief Secretary for Ireland said it was a hardship to the landlord to put up this money. But the right hon. Gentleman does not free the landlord from putting up a fifth, though he relieves him of part and parcel of the possibility of losing a portion of that fifth. He says it does not necessarily follow, as my right hon. Friend the Member for Newcastle (Mr. John Morley) suggested, that the price will have been too high. The presumption must be that the price was too high because you have first to sell the interest of the land to some one else. A portion of the money has already been paid, and you only come to the landlord for a fifth or for a tenth, when it is shown by putting the property up to public auction you cannot find one single human being to give a sum which is not considerably less than was given to the landlord. In that case surely it is only fair and reasonable that the landlord should be the first person to pay back a portion of the money. It is proved the landlord has got too much. We have made a mistake and the landlord ought to suffer for it. We have had certain discussion as to what should be done in the case of a strike. The right hon. Gentleman says that the locality ought to share this liability of a strike because it would be the fault of the locality. I cannot see that it would necessarily be the fault of the locality, or that the locality is responsible for it. Take certain of the tenants. These tenants do not pay; you may call it strike or combination—what you like. But they can say, "We cannot pay, and we are not going to pay." Who suffers? The combination may be called into existence by a fall in price of produce. Why then are the grocers and others to pay a portion of this money to release the landlord, when they will themselves be suffering equally with the unfortunate tenant by the fall in the price of produce? We were told by hon. Members opposite that this Bill is not in the interest of the landlord. [A Conservative Member: Hear, hear!] The hon. Gentleman opposite says "hear, hear!" Does he know that no landlord is obliged to sell by this Bill? If then the landlords do sell in considerable numbers we may assume that they think it to their interest to do so. Are we to suppose that the Irish landlords are philanthropists who are going to sacrifice their interests in order that this Bill may be carried into effect? Most assuredly not. And they will prove by making use of the Bill, by selling under it, that it is entirely to their interest. We give these landlords a great advantage. It is an advantage to say to the landlord: "If you like to sell, you may sell to us for more than you could get in the open market." Under these circumstances, we surely have a perfect right to make our own terms in regard to sale. They are not obliged to accept them, and the condition is a most fair and legitimate one, which was introduced into the Ashbourne Act, and ought to appear in this Bill—that you ought not to come on the locality until you have gone on this one-fifth.

(4.7.) Colonel SAUNDERSON (Armagh, N.): One circumstance has been manifest to the Committee, and it is this—that however opposed to the Bill hon. Gentlemen opposite of the Radical persuasion may be, yet my right hon. Friend the Chief Secretary for Ireland has found a supporter in the right hon. Gentleman the Member for Mid Lothian. We did not before know that that right hon. Gentleman was a supporter of this Bill, but from an interruption by him during the speech of the hon. Member for South Tyrone, we learn that he, at any rate, disclaims any idea of opposing the principles of this Bill. To have secured so great an ally on the opposite side of the House ought, I think, to be a matter of thankfulness to Her Majesty's Government. But the hon. Member for West Belfast challenged one of my hon. Friends as to the popularity of this Bill. The proof of the popularity of this Bill is the action of hon. Members below the Gangway opposite. Very recently they were opposed to the Bill, and in their hearts they hate it still, but they know perfectly well they dare not revisit their constituents in Ireland if they oppose it in this House. Therefore, they have given it a qualified resistance by supporting an Amendment which, if carried, would have destroyed the Bill altogether. With regard to this proposal to increase the liability of the landlord who sells, I would point out that if there is a strike against rents, if a landlord has sold his property, surely the blame cannot be laid on him, but on the locality in which the strike against rents occurs. The House will remember a very interesting circumstance that occurred the other day when my right hon. Friend the Chief Secretary was speaking upon this Bill. "Who will fix the price?" was the question asked, and the hon. and learned Member for Longford interrupted and said, "The Local Land League." Well, if the Local Land League is to determine the price, to interfere with the price, and if there is to be a strike against rent, it will be the local Land League or whatever organisation hon. Gentlemen opposite will bring into life in Ireland for a political purpose which will instigate Irish tenants to strike against rent. Therefore, I think it would be a most monstrous thing that a landlord who sells his property, which will have the effect of reducing his income by one-half, should have to carry with him wherever he went the doubt rankling in his mind that at any moment the local Land League or some other Political Organisation might cause a strike against rent, and that because they cause that strike, he, forsooth, who was absolutely opposed to any such thing, would have to bear part of the blame. I look upon that as a most monstrous piece of injustice. The House naturally feels anxious as to whether the Commissioners are likely to advance too much money in buying these Irish estates. I hold in my hand a Return which is interesting from the fact that it bears upon this very question. This shows an estate for sale in County Cork—the estate of H. B. O'Sullivan. In the year 1878 this gentleman refused £27,000 for the estate. The other day he offered it to his tenants for £8,885, and the tenants accepted that offer with thankfulness. The effect of the offer would have been this: The tenants themselves were under a fair rent. I will take one case. His fair rent fixed by the Court was £45. He swore himself in Court that in his own valuation his farm was worth £35. Under the offer of the landlord to sell, the £35 in his case would have been reduced to £23. But the Commissioners refused to sanction the transaction unless the landlord accepted £7,389, which in the case of this farm would have reduced the rent to £16, although he himself had sworn it was worth £35. Is not that a very fair margin? Is it likely that the State would run very much danger by sanctioning purchase at that money. Therefore, I hope the Committee will see, first of all, that it would be most unfair and unjust——

Mr. PINKERTON (Galway, N.): Would the hon. and gallant Gentleman give the valuation of that holding?

Colonel SAUNDERSON: The old rent was £53.

Mr. PINKERTON: What is the Government—the Poor Law—valuation?

Colonel SAUNDERSON: The Government valuation is £24. [*Opposition cheers.*] Hon. Gentlemen above the Gangway cheer that because they know nothing about it. But hon. Gentlemen below the Gangway know something about it. If the tenant swears in open Court, in trying to get fair rent fixed, that he conceives the value of his farm to be £35 a year, and is willing to pay that rent as fair, and when the Commissioners refuse to sanction the sale unless, practically, the rent is reduced to £16, I say the margin between that figure and £35 is a very fair margin for the security which the State requires. Therefore, I hope the Committee will not sanction the idea that landlords are to be saddled with the whole of this fifth, but that it should be divided on one hand between the landlord who sells and the tenant who buys and on the locality on the other. It is in the interests of the locality when farms are sold not to endanger the county guarantee, and depend upon it that the locality will see that neither the local Land League nor political demagogues will incite the locality to refuse to pay when the loss will fall on their own pockets.

(4.15.) Mr. W. E. GLADSTONE: I am very sorry that the hon. and gallant Gentleman drags me into this Debate by the gross misstatement he has made. I do not find fault with the hon. and gallant Gentleman. I know his eloquence is ungovernable, as it is, I am afraid on many occasions, unprofitable. He has claimed me as a supporter of the Bill, and he does that because an hon. Member behind me (Mr. T. W. Russell), perhaps inadvertently, said that the object of those who acted with me was to destroy the Bill. I totally disclaimed the statement that we wished to destroy the Bill. That is the extent of what I have done, and it is that upon which the hon. and gallant Gentleman, in the exercise of the understanding which the Almighty has given him, has represented me as being a supporter of the Bill. My position is a very simple one. I am only sorry to be compelled by the rather violent action of the hon. and gallant Gentleman to occupy the time of the Committee in stating that the aggregate objections to the Bill were such that, although I was desirous to see a Land Purchase Bill passed, they made it my duty to vote against the Second Reading of this Bill. But it is my duty now to endeavour to see whether by Amendments of the Bill it can be rendered such that I shall be enabled to withdraw that opposition, and that clearly is a position quite distinct, as the hon. Member will admit, from the position of one who wishes to destroy the Bill, as it is quite distinct from the position of one who would deserve the glowing description given by the hon. and gallant Gentleman of being a supporter of the Bill. I am obliged to vote for the Amendment which has been proposed, and I do it upon two grounds. I do it because I think the arrangement proposed by the Government is unjust to the ratepayer and unjust to the State. I think it unjust to the ratepayer upon the ground which I will not travel over again. We have heard the admirable statement of my hon. Friend the Member for West Belfast, and I do not think anyone could possibly wish for a clearer exposition. On that ground I think the injustice to the ratepayer is such that I cannot for a moment be a party to inflicting it. But I think the Bill as it stands is also unjust to the State. The security of the rates is, in my opinion, totally unreal and unavailable, and it is unjust to the State to give it a fictitious security instead of a real one. As long as a guarantee by the landlord was available the security was a real one, but if instead of £1 out of that Guarantee Fund he must give 10s., and 10s. out of a supposed—presumed—product of the rates, which I conceive to be based on injustice and impossible in practice, he may then greatly damage the security of the State. Whatever I think of the moral incapacity of this House to pledge Imperial credit, the House having been pleased by a large majority to vote that, my next duty is to see that there is some reality in the guarantee it is proposed to provide. I think the guarantee proposed to be provided on the rates is absolutely without value, because the provision to make it without the consent of the ratepayers, or of any Local Authority, and under circumstances in which those who have not been able to purchase and not receiving the benefits of the Bill are to be made to supply the defaults of those who have been able to purchase, is an arrangement which, when the time comes for giving it practical effect, will be found wholly unavailable for the purpose for which it is intended. I find that I have made a verbal mistake in the course of my remarks. My vote was given against pledging Imperial credit, and not against the Second Reading of the Bill.

(4.22.) Mr. T. M. HEALY (Longford, N.): The Chief Secretary illustrated his argument by reference to a conspiracy in the locality. Let the Committee observe what the locality is. The locality is a county. One of the so-called conspiracies is that which the hon. Member for Hunts (Mr. Smith-Barry) is supposed to be operating against—a strike against rent on the Ponsonby estate, situated in the County of Cork, at Youghal. But the people in the districts of Castletown and Berehaven, in the County of Cork, are to be made to pay for the misdeeds of people at Youghal, which is as far distant from them as is Galway. That comes of the absurdity of making the county the unit. You do it because your plan under this Bill is to issue a precept to the Grand Jury to make up a local rate, and then the Grand Jury, without even the preliminary of a Presentment Sessions, are bound to strike a rate, and men 100 miles away from the scene of a so-called conspiracy are to make good a default which might be committed by people in a place like Youghal. Yet we are told by gentlemen like the hon. Member for Cork (Mr. Parnell) that we are struggling to defeat this Bill. My hon. Friend the Member for Northampton and other hon. Gentlemen have all assumed that this fifth is to be retained. But have we forgotten the juggle of the Land Department Bill? We have here a Land Department Bill which you have read with acclamation a second time; and Clause 17, Sub-section 2, of that Bill provides that you need not retain a penny of the fifth if you please. Then we have another illustration, not a very candid one, given us by the hon. and gallant Member for North Armagh in the case of the O'Sullivan estate. Now, that is an estate which I happen to know something about. I understand that estate was offered for sale for £8,885 instead of £27,000, which was formerly asked for it. That looks wonderful until you come to the facts. Who are selling the estate? Is it O'Sullivan? No; it is the Munster and Leinster Bank. Because the O'Sullivans were spendthrift, I presume, and chose to put blisters on their estate, the Munster and Leinster Bank sell to the first man they can get, and he will only give £8,000. Accordingly, to trot out to us the O'Sullivan estate as if we knew nothing about the matter is, I should imagine, as though the hon. and gallant Gentleman thought he was talking to an audience of Ulster Orangemen.

COLONEL SAUNDERSON: The hon. and learned Member could not, apparently, have been in the House when I spoke. I stated that the Commissioners refused to sell the estate.

MR. T. M. HEALY: I heard every word of the hon. and gallant Gentleman's speech, and the point he repeats, as a matter of fact, reinforces my argument. If the Commissioners refused to sell at the amount of the Munster and Leinster Bank's mortgage, does not that prove exactly our contention upon the business? Supposing the O'Sullivans were not encumbered at all, is it likely that they would sell for £7,000? What do they do? The Munster and Leinster Bank is not an Orange Lodge. It cannot vote for the Castle. It is a Limited Liability Company. It is not an institution which has at its back the Loyal and Patriotic Union. It has not a newspaper in its interest. It cannot lobby and interview the Chief Secretary in his chambers. The Munster and Leinster Bank must suffer loss. But if, instead of being an institution of a purely financial character, it were a landlord, it would make its complaints to the Purchase Commissioners at the Castle, make the matter known, and endeavour to intimidate them; and when the salaries of these Commissioners, having been taken off the Votes, could no longer be criticised in this House, the British public would then find that this transaction had taken place, and, instead of being refused to be passed at £8,000, it would most likely be passed at £18,000 or £20,000; and then, in 10 or five years' time, you would, perhaps, have a demand made on an estate so valuable as this that any default should be made good not by the landlord's fifth but by the locality. That is the way the argument of the hon. and gallant Gentleman goes. It goes to show the iniquity of the proposals of Her Majesty's Government. The right hon. Gentleman has no argument whatever to offer to the Committee for making half payable by the tenant. The argument of the Chief Secretary in favour of practically abolishing the landlord's fifth and making the ratepayers pay the half of it is absolutely absurd. The towns must pay for this as well as the country. Observe the curious result of the Government trying to escape from their own folly. Under the Bill the exempted towns are Dublin, Cork, Belfast, Londonderry, and Limerick. Cork goes a long way into the country, and Limerick goes into the country also. You exempt these places so that the ratepayers will not kick against the proposal. Both Cork and Limerick contain large areas known as "liberties," which extend miles into the country, and you exempt them from the Bill in order to make your area of charge purely rural. But take boroughs like Newry, business places like Lurgan, and cities like Coleraine. Why should they be called upon to make good any default in a particular locality? In addition to this it is proposed to include the counties of the Cities of Kilkenny, Carrickfergus, Galway, Drogheda, and Waterford in the Bill. What is the meaning of this proposition? Many hon. Members recollect the passing of the Redistribution of Seats Bill. That was the result of a compact between the two Front Benches, and whatever arguments were addressed to the Minister in charge of the Bill he said, "I have agreed about this with Lord Salisbury, and I cannot make any concession." The Chief Secretary is padlocked to this provision because he has agreed with the landlords to make it——

MR. A. J. BALFOUR: I have not.

MR. T. M. HEALY: I am glad to hear that. Then give up the provision. Did not the landlords in Convention ask for this provision?

MR. A. J. BALFOUR: I do not know.

MR. T. M. HEALY: I say they did.

COLONEL WARING (Down, N.): I say they did not.

MR. T. M. HEALY: Then they do not want it. It is a free boon in the gift and grace of Her Majesty's Government.

COLONEL WARING: What I said was that the landlords did not ask for it.

That is very different to accepting it gratefully.

Mr. T. M. HEALY: I was saying that if the landlords have not asked for this boon the Government are not pinned to it. I suppose the demand was thought by the landlords to be so monstrous that they did not dare to put it forward at their Convention. These gentlemen would ask for the moon if it occurred to them to do so. What demand has been made by the hon. Member for South Hunts (Mr. Smith-Barry). It reminds me of the famous story about Mr. Hut: "Give him Ireland for an estate and he will ask for the Isle of Man for a kitchen garden." The landlords have not thought fit to ask for this provision, and we who have no local authority, and are to have no control, are to be made to smart and to pay when the landlord's fifth is lying there and no demand has been made upon it. I regard this proposition of the Government as the most unwholesome, pernicious, and objectionable of the entire measure.

(4.44.) Mr. MAHONY (Meath, N.): The Land Commissioners are not now empowered to see that the amount advanced is a fair price for the interest purchased. Will the Chief Secretary undertake to provide at some later stage that the Land Commissioners shall be compelled to see that there is fair and reasonable security in the land itself for the money advanced?

Mr. A. J. BALFOUR: The duty of the Land Commissioners already is to see that the holding is such as to afford good security for the advance made.

Mr. MAHONY: I exclude the tenants' interest; I mean the actual thing that passes in the sale.

Mr. A. J. BALFOUR: They must do that now.

(4.45.) Mr. M. J. KENNY (Tyrone, Mid): Under the Bill the local guarantees have to be exhausted before the landlord's deposit can be touched. It is quite clear the object of the Government is not only to whittle down the landlord's liability to half of the one-fifth, they mean the landlord to get off scot free, and to transfer the liability of the landlord to the locality. I submit that if the Bill is unamended at this point the Courts will hold that they cannot touch the guarantee deposit until the Guarantee Fund, consisting of the two portions specified in Clause 3—that is, the cash portion and the contingent portion—are absolutely exhausted. I ask the Attorney General for Ireland whether he is prepared to insert words insuring that the guarantee deposit will be liable *pari passu* with the Guarantee Fund so that the landlord's portion and the tenant's portion will be exhausted concurrently?

*(4.46.) The ATTORNEY GENERAL for IRELAND (Mr. Madden, Dublin University): I am quite clear that the Land Commission can attach the guarantee deposit as soon as they declare the debt to be irrecoverable.

*(4.48.) Mr. KNOX (Cavan, W.): It would be possible to insert words at the end of the sub-section which would meet the point raised. The mistake made in drafting is due to the simple fact that the draftsman forgot that the procedure which was sufficient under the Act of 1885 in respect of the guarantee deposit is not sufficient now. Under the Act of 1885, when the Land Commissioners wanted to apply the guarantee deposit they did so directly, and applied it in the payment to themselves of what was due. Under this Bill they have to carry the guarantee deposit, or such portion as the Government declares shall be used under this provision, to the Land Purchase Account. There is no mandatory provision in the Bill—but I suppose that is a slip in drafting—that at any particular period the guarantee deposit, or any part of it, shall be carried to the Land Purchase Account. There is another point I am desirous of raising. I have no doubt the Chief Secretary and Attorney General for Ireland are aware that in many cases at present the Land Commissioners sanction the sales of smaller holdings only on condition that a larger proportion than one-fifth of the purchase money shall remain as guarantee deposit. They are able, therefore, to sanction the sale of smaller holdings without risk or loss to the taxpayers, which but for that simple expedient could not be carried out at all. The provision will entirely prevent that course of dealing which I think the Goment must admit is one that everybody who has a practical interest in the ques-

tion of land purchase must be in favour of. It will practically shut the small farmers out of the Bill. We saw from the papers that it was said the other day the Bill will give reductions of 30 and 40 per cent. to 150,000 tenants in Ireland. Anyone who takes the trouble to read the Bill must know that no tenant will get more than 20 per cent. reduction for 25 years. We know also, from the experience of the Ashbourne Acts, that it will be many a long year before 150,000 tenants can by any possibility come within the scope of the measure.

THE CHAIRMAN: I fail to see how the hon. Member's remarks are pertinent to the question before the Committee.

*MR. KNOX: I am anxious to show that, as the provision now under consideration prevents the Land Commissioners, on any default by the tenant, from taking more than one-half of the sum in default out of the landlord's guarantee deposit, there will be no practical advantage to the State in making the deposit larger. The guarantee deposit, as it is, will be so large in comparison with what may be taken out of it that it is almost impossible for the whole of it to be absorbed within the 18 years. As my hon. Friend the Member for West Belfast has shown, unless the tenant within the 18 years after purchase makes default in 20 half-yearly payments, the whole of the one-fifth guarantee deposit cannot be absorbed; so there will be practically no advantage to the State in making the guarantee deposit larger. The procedure under which advances have been made to smaller tenants will therefore be no longer of any use. I contend that if the provision is carried in its present form it will make impossible the carrying out of sales to tenants in those cases where sales are most required if social peace in Ireland is to be restored, and if the small tenants are to eke out a livelihood on their own land.

*(4.54.) MR. WINTERBOTHAM (Gloucester, Cirencester): Before this clause is passed, I wish to utter a protest. I have been hoping the Chief Secretary would say something in reply to the exceedingly able and unanswerable speech of the hon. Gentleman the Member for West Belfast. We English Members long ago realised that there is not much good in protesting here, and have felt driven to appeal to the English people from English platforms. As to this iniquitous Landlords' Bill we have told the people, and we shall continue to tell them, that this is a Bill mainly to benefit the landlord class of Ireland. It now turns out that, unasked by the landlords, Her Majesty's Government have gone out of their way to make the landlords' position with regard to their share of the risk under the Guarantee Fund 50 per cent. better than it has been under the Ashbourne Act. It is quite evident to a sensible man that the landlord is a willing seller, for if he does not like the price he need not sell. It is quite evident to a man of business that the 20 per cent. which is kept in the Guarantee Fund is not more than the extra price the landlord gets for his land over and above what he would get if the land were put up to public auction and to free competition, and there is no injustice, therefore, in keeping this 20 per cent. as a buffer between the State and the loan which it has advanced. But I do not think enough has been said about the unfairness of putting half the possible loss upon the taxpayers of Ireland. That men who are allowed no voice in the matter, and who receive no benefit under the Bill, should have to pay for any default, is a most monstrous thing. But beyond this, you propose to "capture" the resources of Ireland. What right have you to pledge the resources of each locality for a purpose which will not benefit the general community? I only utter this word of protest. We cannot defeat or alter the measure. You have your majority to vote us down, but in the near future, when your friends the landlords, having pocketed the swag, have gone off, we may be in a position to take care than any loss which accrues shall fall not upon industry nor on vans and wheels, nor upon the poor people of the country, but upon the landlord class, who are the class benefited.

(4.59.) MR. CONYBEARE (Cornwall, Camborne): I cannot agree with the right hon. Gentleman the Member for Mid Lothian in the desire to amend this Bill. I hope there will be as little Amendment as possible, in order that the people of this country, who have been befooled into allowing a Tory Government to introduce a Bill of this kind against all their pledges, may realise the blessings of having a Tory Government. There has been a great omission in the course of the Debate. We have not yet heard any reply from the Government to the urgent arguments addressed to the Committee by the hon. Member for West Belfast, and now, Mr. Courtney, when you are on the point of rising to put the question, the Chief Secretary has made himself scarce. Furthermore, we have not yet heard the views of the noble Lord the Member for Rossendale (the Marquess of Hartington) who is jointly responsible for and guilty of the iniquitous fraud, which is now being perpetrated on the constituencies of this country. Then there is that able lawyer the right hon. and learned Gentleman the Member for Bury (Sir Henry James) from whom we have had no expression of opinion upon this clause. I distinctly recollect the time when the noble Lord and his right hon. Colleague had a good deal to say of a rather violent character against the land purchase proposals of 1886, which, as compared with the proposals in this Bill, were as safe as Consols. Now I take it that these Gentlemen share with the Government the responsibility for introducing this measure, and we have a right to know if they have any answer to what has been said with thorough knowledge of the subject by the hon. Member for West Belfast (Mr. Sexton). The Chancellor of the Exchequer has just returned to his place. I do not know whether he was present when my hon. Friend was arguing the question, but as he was posing yesterday as the guardian of the taxpayers of the country, it is desirable that he should offer some reply. It is monstrous that my hon. Friend, having put his case with a lucidity and force that appealed to the intelligenee of every hon. Member in the Committee, should have no answer. If my hon. Friend's arguments are unanswerable, then let the Amendment be accepted. I do not appeal to hon. Gentlemen below the Gangway opposite, because they merely answer argument with impatient cries for a Division, and I do not suppose they have given much attention to the Bill or that they understand it. We require a reply, however, from their responsible leaders; but, as this is not forthcoming, it may be that they desire more time for the consideration of the points raised, therefore, to afford them that time, I move that you do now, Sir, report Progress.

The CHAIRMAN: Order, order! The hon. Member must be prepared for my declaration that this is trifling with the Committee.*

Question again proposed.

Mr. T. M. HEALY: Does not the right hon. Gentleman think that some reply is due to my hon. Friend's speech?

(5.4.) Mr. A. J. BALFOUR: No one has more admiration for the powers of eloquence of the hon. Member for West Belfast than I have. He has put the case for the Amendment in an excellent manner. I had previously put the case on behalf of the Government in a speech of some length. I do not know that I have anything to add to what I have said. I am quite content to leave the case as presented by the hon. Member on the one side, and by myself on the other, to the judgment of the Committee.

(5.5.) The Committee divided:—Ayes 205; Noes 158.—(Div. List, No. 145.)

The CHAIRMAN: The Amendment which stands in the name of the hon. Member for Elgin raises a point which the Committee has already decided.

Mr. SEXTON: Cannot an hon. Member move to substitute some other proposition than one-half of the Guarantee deposit?

The CHAIRMAN: The hon. Member for Cork (Mr. M. Healy) proposes to leave out "one-half," and insert "three-fourths," and I call on him to proceed with that Motion.

*(5.20.) Mr. KNOX: In the absence of my hon. Friend (Mr. M. Healy), I beg to move his Amendment. I will not detain the Committee at any length, for, of course, the main part of the principle

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* The entry in the Votes is as follows:—
Mr. Conybeare moved, "That the Chairman do report Progress, and ask leave to sit again;" but the Chairman being of opinion that the Motion was an abuse of the Rules of the House, declined to propose the Question thereupon to the Committee.

has been decided already. We now want, so far as we can, to remove the grossness of the inequality which would exist if the proposal of the Government were carried into effect without any Amendment whatever. I propose on behalf of my hon. Friend to substitute in line 34 "three-quarters" for "one-half." The landlord would bear three-fourths of the loss in case of a default occurring during the first 18 years, and the Local Authority would bear the other fourth. I would ask the Chief Secretary to consider whether this would not be fair. The right hon. Gentleman states that his object is to make equality between the landlord and the Local Authority. Now, we on this side deny that there ought to be this equality between the Local Authority and the landlord, but of course we must take the last Division as having decided something. We take it that the Committee has decided, in spite of our protest, by a majority of Members in favour of the principle of equality between the landlord and the Local Authority in respect to this guarantee. But we contend that the proposal of the Government does not give that equality. The guarantee of the landlord is for 18 years, and that of the Local Authority for the whole term of the purchase annuity. Our proposal is that in a rough way you may arrive at an equality by the omission of "one-half" of the guarantee deposit and making three-fourths of the deposit applicable. In that way during 18 years you would have the landlord's deposit bearing the greater part of the risk in consideration of the fact that after 18 years the landlord would have no risk whatever. I would ask the Chief Secretary if this is not a reasonable proposal that he may accept in the interest of quick progress with the Bill? We all want to get through the Bill as quickly as we can, consistently with our duty to the ratepayers and farmers of Ireland, and I ask the Chief Secretary to carry his principle of equality between the landlord and the Local Authority into effect by the adoption of this Amendment.

Amendment proposed,

In page 2, line 34, to leave out the words "one-half," in order to insert the words "three-fourths,"—(*Mr. Knox,*)

—instead thereof.

Mr. Knox

Question proposed, "That the words 'one-half' stand part of the Clause."

(5.24.) MR. A. J. BALFOUR: The hon. Member acknowledges that the Committee decided by the last Division that the Local Authority shall bear its share of any default that may occur, and as I understand it is now suggested that during 18 years the greater part of the burden shall be borne by the landlords on the ground that after that period a landlord will have no liability for loss at all. Now, the hon. Member must recollect that the reason why the guarantee deposit is not required to bear any risk after 18 years is, that after that period, the value of the Guarantee Fund will have so augmented by the number of years' payments of annuities and the amount paid off by the Sinking Fund, that practically there will be no more loss to bear. Therefore, after 18 years we need not trouble ourselves as to the liability of landlord or the tenant, far advanced towards the position of owner. Under the circumstances, I certainly take the view of the Committee, as expressed in the last Division, to cover this point, and I ask the Committee not to expend further time in discussion of a matter which, I think, was exhausted on the last Amendment.

(5.25.) MR. SEXTON: I think the right hon. Gentleman is in error in supposing that the decision of the Committee on the last Amendment covers this point. What I take the Division to have decided is that a majority of Members are of opinion that the whole of the loss arising from default should not fall on the guarantee deposit. That was the extent of the Division. But it is obvious that, so far from deciding the question of the present Amendment was that decision, that it left altogether open the question as to what proportion of the loss arising from default should be borne as between landlords and ratepayers. Now, the proposal of my hon. Friend the Member for Cavan is at once ingenious and just. It proposes to equalise the burden between landlords and the locality, and to do so not by an even liability in years succeeding the passing of the Act, but by so arranging the relative liability during the entire period as to arrive at a rough equation between the parties. My hon. Friend argues that for 18 years the landlord should bear three-fourths of the risk and the locality one-fourth, and after this period of 18 years, and for 31 years more, we are willing that the locality should bear the whole of the burden of risk and the landlords none. That certainly does, in my judgment, afford something like an equation. But the Chief Secretary says that after 18 years there is no substantial danger of default. Well, but how does that bear upon his previous speech of to-day, when he shadowed forth before the Committee as one of the vast dangers coming in the distance, and in recognition of which all these precautions were necessary, the danger of a conspiracy or strike against the payment of these annuities to the State? How does he make out now that this danger disappears at the end of 18 years? Of course, there will be the growth of the feeling of ownership. We say there is no danger of a strike if the bargain is a just one, but he is not in a position to say there is less danger of a strike 18 years hence than now. A strike may occur at any time, according to his argument, under political conditions he indicated. If it be true that there is no danger of a strike at the end of 18 years, why then, provide a local guarantee for the whole of the 49 years? There would be no necessity for considering that question. Here is a suggestion that will undoubtedly ease friction in regard to this Bill. The right hon. Gentleman admits that the only danger worth considering is the danger of a strike against the payment of rent. For individual defaults he admits he has ample and abundant guarantee equal to 2½ years liability. The only real danger is that of a strike, that is the only thing that renders a general guarantee necessary. But he himself uses an argument of great force when he says the interest of the purchasing tenants as owners will be so powerful that the folly of a strike will not be indulged in. Very well, if we accept that conclusion, then the whole case for a local guarantee after 18 years is at an end. If the Chief Secretary will not accept the Amendment of my hon. Friend, will he consider—I do not say that it will be equally satisfactory—will he consider a proposal that at the end of 18 years, when, according to himself, the danger of repudiation will cease, the guarantee shall be no longer exacted? The hon. Gentleman has asked why not make the landlord wholly responsible instead of throwing half the liability on the tenant. Now if I were certain that every act of default in the first 18 years was due to conspiracy, I should refuse to ask the landlord to give any guarantee at all: I should throw the whole liability on the county. But the fact is that the default may in some cases be due to conspiracy, and in other cases to causes over which the tenant has no control, and hence it is I propose to make the landlord a party to the arrangement. I have never pretended that there is any real absolute necessity for this guarantee, but the hon. Gentleman must know enough of public opinion in England to be aware that the British taxpayer would not take my individual opinion, but will require an absolute guarantee. I have provided him with one.

MR. T. M. HEALY: How?

MR. A. J. BALFOUR: I repeat that I have provided an absolute guarantee. I know we cannot pass this Bill without the assent of Parliament and of this country, and even to omit what I think are superfluous guarantees might lead to the destruction of a Bill which I believe hon. Gentlemen opposite are anxious should be carried.

THE CHAIRMAN: Order, order! Although the hon. Member made a suggestion to the Chief Secretary touching the cessation of the guarantee, and the right hon. Gentleman has replied to it, it would be out of order to discuss it.

(5.34.) MR. T. M. HEALY: I propose to recall to the Committee the historical aspect of this question and of the circumstances under which this demand is made. The right hon. Gentleman says he believes that the guarantee is not necessary. Does he say that no loss will fall on the taxpayer.

MR. A. J. BALFOUR: No serious loss.

MR. T. M. HEALY: Then if it cannot fall on the taxpayer it cannot fall on the landlord, and our demand consequently becomes irresistible. How did this House in former years satisfy the British taxpayer? In the year 1870, under the Bright Clauses, in order to satisfy the British taxpayer you insisted that only one half of the purchase money should be advanced by the State. Under the Act of 1881 you increased that one-half to three-fourths, and under the Ashbourne Acts there was a further advance to the extent of four-fifths, and finally it was arranged to advance the whole sum, but to retain one-fifth. Now the demand for this Bill comes not from the tenant, but from the landlord, and hence it is that the Government propose to throw part of the landlord's liability on the local ratepayer. Hon. Gentlemen opposite deny that the demandant for this Bill is the landlord. Why, the hon. Member for Cork and the whole of the National Members for Ireland voted against the Bill. Four years ago we voted against advancing a second £5,000,000 for operation under the Ashbourne Acts, and therefore, so far as the tenants' Representatives are concerned we have not come imploring the House for this Bill. It is the landlords who have asked for it, and this particular provision is one of the results of the landlords' conventions which have been held for the first time in the history of Ireland. I do not object for one moment to the holding of those conventions. I think they are very desirable, and if we were let alone no doubt an agreement would be easily arrived at between landlord and tenant. These securities the Government are now insisting upon never entered into the head of Mr. Bright, or of the right hon. Gentleman the Member for Mid Lothian, or of Lord Ashbourne. They first recommended themselves to the Liberal Unionist mind of the Chancellor of the Exchequer. The Chief Secretary has spoken of the probability of the disappearance of the landlord from Ireland. My suggestion is that if the Irish landlord remains at home he can act as a mode for the general community, and by his wealth, education, and intelligence—which we know every member of the class possesses so large a share—set an example of rectitude. He can be as a shining candle in his particular community. Surely it would be a graceful act on the part of the landlords to say that they will not leave the burden of this particular plaster on the community. If they intend to go let them clear out bag and baggage. Hon. Friends near me are always growling that the interests of the British taxpayer are suffering under this Bill. Why, Sir, the case of the Irish is far worse. They are Imperial taxpayers as well as English; but, although in the case of Englishmen only the Imperial taxes are affected, in the case of Irishmen their local as well as their Imperial taxes will suffer. I think the Government would be well advised to give in on this matter. May I point out that the vote, if they persist in their present attitude, is a foregone conclusion, as they rely on the support of frequenters of the Smoking Room, who go into the Lobbies without listening to a single argument.

(5.45.) Mr. LABOUCHERE: I rise to point out how the right hon. Gentleman is trifling with this House and with the country. On the last clause the right hon. Gentleman urged many, as he considered, excellent reasons to prove the beauty of his scheme of guarantees; yet a few minutes ago he got up and practically threw over the whole of those guarantees. He said he did not care in the least for them—he did not believe in them, and that they were intended simply to throw dust in the eyes of the British elector.

Mr. A. J. BALFOUR: No, Sir.

The CHAIRMAN: Order, order! I have already intimated that this is not relevant to the Amendment.

Mr. LABOUCHERE: I am not thinking of going into arguments; I was only accentuating what the right hon. Gentleman said.

Mr. A. J. BALFOUR: Perhaps the right hon. Gentleman will allow me to correct him. I did not say I disbelieved in the securities. I said that, after all, they were only an additional, and, perhaps, a superfluous guarantee.

Mr. LABOUCHERE: In regard to this specific Amendment, I, for my part, believe that any proposal to increase the liability of the landlord as against the ratepayer will fail. I do not agree with my hon. Friend in thinking that after 18 years, there will be no chance of a strike against the annual payments. We know perfectly well that produce has fallen enormously of late years, and we do not know what may occur in the future.

The CHAIRMAN: Order, order!

Mr. LABOUCHERE: Well, Sir, as you rule this is not relevant, I am afraid

I can only say I must vote for the Amendment.

(5.49.) The Committee divided:—Ayes 215; Noes 154.—(Div. List, No. 146.)

*(6.2.) Mr. KNOX: I beg to move at the end of Sub-section 3 to insert the words—

"And such one-half shall be carried to the Land Purchase Account out of the guarantee deposit immediately on any sum due to the Land Commission in respect of any advance secured by guarantee deposit having been declared an irrecoverable debt."

This Amendment will remove the obscurity occasioned by the defective drafting of the clause.

(6.3.) Mr. A. J. BALFOUR: I think that the effect of the words is already covered; but there is no objection to inserting the Amendment.

Question, "That those words be there inserted," put, and agreed to.

(6.3.) Mr. M. J. KENNY: I beg to move an Amendment, to be inserted after the words last added, to the effect that the landlord's liability for the debt shall be extended over the whole period of 49 years, instead of over the 18 years as at present provided. I move this Amendment having regard to the fact that the landlord's liability has already been reduced. Under the Bill, the Sinking Fund Account payable by the purchaser releases the guarantee deposit absolutely. The original vendor then ceases to be liable to the mortgagee or the taxpayer. In the meantime, the tenant not only continues liable himself, through the liability of his holding to be put up to auction, and his liability to be proceeded against in the Law Courts for the recovery of debt, but in addition to that the local guarantee fund named in Section 3 continues to be liable for the debt. I want to know why it is that the landlord, the original vendor, is to be released from all liability at the end of 18 years, whilst the tenant remains liable until all the instalments are paid up? In this, the liability of the landlord compared with what was fixed upon in the Ashbourne Act, is reduced by one-half. Seeing, therefore, that he gets so much, I think the taxpayer should get something, and that for this purpose we should require the landlords' liability to continue for a longer period. Of course, there would always be the liability to redemption. By a rule of the Land Commission the landlords' deposit has been made assignable as an asset, and as a matter of fact, in some cases under the Ashbourne Act, the one-fifth has been assigned to creditors, although it might be ultimately required to meet default on the part of the purchaser. The landlord then can suffer no inconvenience through the deposit having to remain longer available for the purposes of this Bill, especially when you bear in mind that he enjoys the luxury of receiving 3 per cent. for his money. I can see no reason why the landlord should be relieved of all liability at the end of 18 years, whilst the Local Guarantee Funds continue liable till the expiration of the 49 years. If the right hon. Gentleman will explain his inconsistency in this matter, I shall be glad to hear him, but at present I protest against the proposal in the Bill, and the further proposal in the Land Department Bill, the object of which is to relieve landlords of their liability.

Amendment proposed.

In page 2, line 36 after the word "account," to insert the words "And, in the case of any advance under this Act, such guarantee deposit shall not be repaid to the depositor or otherwise released until all re-payments under the purchase annuity shall have been fully completed and satisfied."—(*Mr. Matthew Kenny.*)

Question proposed, "That those words be there inserted."

(6.10.) Mr. A. J. BALFOUR: I think there is no reason, either on the analogy of the Ashbourne Act, or derivable from any past experience in land purchase, for extending the period during which the landlord should be tied to the holding he has sold. The hon. Member for West Belfast has told us that there will be no practical danger of default on the part of the tenant when the security has been increased by the one-fifth, as it must be before the landlord can be relieved of the guarantee deposit. And I would point out that at the end of 18 years the individual tenant will have become so much of an owner that there will be no danger of casual default. There can be no question that the holding will supply a sufficient asset to meet the loans made upon it, when its value has been increased in the manner pointed out.

(6.12.) MR. E. ROBERTSON (Dundee): I regard the Chief Secretary's answer as unsatisfactory. By the existing law the guarantee deposit is subject to a charge on account of the whole of the recoverable debt, but by the change just made only half the guarantee deposit will be subject to that charge. My hon. Friend proposes that in consideration of that reduction in the extent of the liability there should be an increase of time during which the Guarantee Fund should remain. So far as that goes I think there is a *primâ facie* reasonableness in what he proposes. I would point out that the right hon. Gentleman seems to have forgotten the arguments which he used in introducing his recent Amendment. Then the right hon. Gentleman stated that the guarantee deposit was to be reduced by one-half because two guarantors instead of one had been provided. But if there is to be equality in the contributions of the guarantors, there ought also to be equality in the period of liability.

(6.15.) MR. SEXTON: A guarantee, if it is a guarantee at all, ought to continue as long as the debt continues. Its true nature is defeated by providing that after the liability has been partly discharged the guarantee is to be partly withdrawn. The right hon. Gentleman has said that there will be no danger of casual default after 18 years, as the individual tenant will have became so much of an owner that he would not part with his holding unless absolutely compelled by stress of circumstances. Well, if there is no danger of the guarantee deposit being called upon, what can be the harm of accepting this Amendment? Why should the locality continue the guarantee? The right hon. Gentleman replies, because without that guarantee the British taxpayer will not be satisfied. But surely it should be as easy to convince the British taxpayer as it is to convince this House. Therefore, I ask him to place the two parties on an equal footing. If the British taxpayer is so dense as to think that an elaborate and irritating guarantee is necessary where no danger exists, then let him require the guarantee of the landlord to extend over the whole period of the transaction in a similar manner.

(6.17.) MR. SHAW LEFEVRE: I cannot agree altogether with the proposition that we have reduced the landlord's liability from one-fifth to one-tenth, for there may be cases in which the whole amount will be taken. The effect of extending the liability of the landlord in the manner suggested would be to take the one-fifth deposit guarantee. I wish to take this opportunity of putting a question to the Chief Secretary—namely, whether the interest to be paid to the landlord in respect of the one-fifth will remain 3 per cent. during the whole period, or will be reduced to 2¾ per cent. If it is to remain at 3 per cent. while the interest on Consols is 2¾, there will be a loss to the State of £15,000 a year, and I want to know whether that loss will fall on the Guarantee Fund or on the ratepayers? In 12 years there will be a reduction in the interest on Consols which will then stand at 2½ per cent., so that the loss then will be not £15,000 a year, but £30,000. That, I think, is an important point.

*(6.20.) MR. KNOX: I beg, very shortly, to support the Amendment of my hon. Friend. I cannot understand on what principle the Chief Secretary is proceeding. He told us he wanted to establish an equality between the landlord and the Local Authority, and though equality is very often not fairness still it has a sound of fairness, and hon. Members opposite, presumably, voted for the principle of equality. My hon. Friend now proposes to apply that principle here. He proposes that just as the guarantee of a Local Authority continues during the whole period of the purchaser's annuity, so should the guarantee of the landlord. There could be nothing more equal. I do not say there could be nothing more fair. It would have been more fair if the landlord's liability had been made to stand as it does under the Ashbourne Act; but if there is to be a change, surely nothing could be more fair than the proposal of my hon. Friend. The right hon. Gentleman opposite has said that experience of the Ashbourne Act shows that there is no need for a longer guarantee than 18 years. That is, to say the least of it,

counting the chickens of the Government before they are hatched. We have not yet had 18 years' experience of the Ashbourne Acts, but there have been sales and purchases of glebe lands more than 18 years ago, and it would be well that the Government should look to the case of these purchasers who have found such difficulty in paying their instalments, and not to that of the men who have bought under the Ashbourne Acts. I think it much more likely that the risk would be apparent after 18 years than before. After 18 years there might be such a fall in prices that the tenant would not be able to pay, for though an astute farmer might very accurately forecast the course of events for 18 years, he would have to be a very astute man indeed to forecast them for 49 years. Such a farmer might be accurate in his calculations in regard to the first 18 years; but at some subsequent period, owing to unforseen circumstances, he might find himself in such a position that it would be impossible for him to pay his instalments. It has been said that the only risk of default is that there may be a general conspiracy. But I undertake to say that no public man in Ireland would be able to bring about a default except as the consequence of a great fall in prices, and that is more likely to occur after the 18 years are up than before. Therefore, I say that the landlord's guarantee should remain after the 18 years. The Chief Secretary knows that the glebe purchasers have in many cases had to be relieved of their bargains. In many cases they would have been bankrupt, if it had not been for the slight measure of relief—I think an insufficient measure, but still, a measure of relief—which was given to them. All experience shows that it is only after a considerable number of years that the real risks will become apparent, therefore, we ask that the landlord shall leave his guarantee deposit with the State so that he should be ready to meet these risks. The hon. Member for West Belfast has shown that it is impossible for the whole of the landlords' guarantee deposit to be appropriated within the 18 years. If there is any use at all in having this one-fifth guarantee, it ought to be left for a longer period than 18 years. I beg, therefore, to support the Amendment.

(6.26.) Mr. LABOUCHERE: The fallacy that underlies the argument of the right hon. Gentleman the Chief Secretary, has been abundantly disclosed in the observations of the hon. Member for Cavan. The right hon. Gentleman seems to consider that past, present, and future are entirely in his hands to deal with as he likes. The basis of the right hon. Gentleman's argument is that in 18 years one-fifth of the purchase price will be paid, and consequently that no owner will be willing to give up his property because he will lose by doing so, as the property will be worth more than four-fifths of its present value. But suppose the Bill had been brought in 18 years ago. Land has depreciated more than one-fifth both in England and Ireland during that period, and why what has occurred during the past 18 years should not occur again during the next 18 years I cannot understand. We only have the assurance of the right hon. Gentleman, as though he were a species of divinity, and could impress his own whim and wishes on the future. It is possible that land will fall in value in the future; but we are told that in 18 years' time we may safely relieve the landlords from their obligation, because we shall have sufficient guarantee in the case of a fall in value in the Local Authority. But while I wish to protect the British taxpayer as much as possible, I object to any Government taking property that does not belong to them and giving it as a guarantee. That is what the Government does when it takes the rates of the localities, and calmly tells the British taxpayer that without the consent of those localities, those rates are to be rendered liable for an advance made by the Government. For my own part, I shall be glad to sweep away every species of obligation that is thrown upon the rates, because I do not see that any one has the right to pledge the rates, unless it is the locality itself.

The CHAIRMAN: Order, order!

Mr. LABOUCHERE: I am sorry if I am wandering from the point, but the Chief Secretary introduces so many matters into these Debates, that one becomes irrelevant in trying to correct him. I hope he will keep in order and will not make these reckless statements for the future. I am prepared to release the ratepayer from any species of liability with regard to this.

MR. SHAW LEFEVRE: Will the Chief Secretary answer my question?

MR. A. J. BALFOUR: I would refer the right hon. Gentleman to the last sub-section of Clause 7.

(6.35.) The Committee divided:—Ayes 135; Noes 218. — (Div. List, No. 147.)

(6.47.) MR. SEXTON: Sub-section 4, at which we have now arrived, provides for moneys being taken for default in payment of the annuities, and for other purposes, from the Sinking Fund. Ordinarily, only the Guarantee Fund will be used. But, suppose you get £70 on a farm, and you have a deferred annuity of £10, you cannot come upon the Guarantee Fund, and such a payment, when made, would come under the sub-section. I propose in page 2, line 39, after the words, "or holding," to insert the words, "or from the guaranteed deposit."

Amendment proposed, in page 2, line 39, after the words "or holding," to insert the words "or from the guaranteed deposit."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

(6.48.) MR. A. J. BALFOUR: I conceive the Guarantee Fund would be liable to the full amount of any deficiency that may arise, subject, of course, to its being shared by the Local Authority.

*(6.49.) MR. KNOX: I venture to think this would meet the case. Suppose you had a holding subject to an annuity of £4, and a few years after the agreement the tenant goes into default, The Land Commission could then take possession, and try to sell, subject to the annuity of £4. If they find themselves unable to do so, they will try to realise the property in the best way they can. The best course would be to sell the holding subject to a reduced annuity. There will be a good deal of loss which, though it will become apparent, will not actually accrue until the period of 18 years has elapsed; and the precise assurance I wish to get from the Government is whether the landlords, as much as the Local Authority, will bear the loss during the whole period of 49 years?

Mr. Labouchere

THE CHAIRMAN: Does the hon. Member withdraw his Amendment?

MR. SEXTON: No, Sir.

It being ten minutes before Seven of the clock, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again upon Thursday.

COMMISSIONERS FOR OATHS ACT (1889) AMENDMENT BILL.—(No. 244.)

Bill read a second time, and committed for Monday next.

TRUSTS AMENDMENT (SCOTLAND) BILL.—(No. 209.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Thursday.

PUBLIC HOUSES (HOURS OF CLOSING) (SCOTLAND) BILL.—(No. 104.)

Order for Second Reading To-morrow read, and discharged.

Bill withdrawn.

LIQUOR TRAFFIC LOCAL VETO BILL. (No. 6.)

Order for Second Reading this day, read, and discharged.

Bill withdrawn.

NEW WRIT

For Leicestershire (Harborough Division), *v.* Thomas Keay Tapling, esquire, deceased.

PARLIAMENTARY CONSTITUENCIES.

Address for—

"Return showing, with regard to each Parliamentary Constituency in the United Kingdom, the number of electors on the Register now in force (in continuation of Parliamentary Paper, No. 368, of Session 1890)."—(*Mr. Stuart Wortley.*)

EVENING SITTING.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at five minutes after Nine o'clock till To-morrow.

by Contract with H.M.'s Government. An Asterisk at the commencement of a Speech indicates revision by the Member.

HOUSE OF COMMONS,

Wednesday, 22nd April, 1891.

PRIVATE BUSINESS.

LONDON COUNTY COUNCIL—PROPOSED NEW STANDING ORDERS.

*(12.25.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's), in rising to move certain proposed New Standing Orders relating to Bills introduced by the London County Council, said: I do not think it necessary to enter at any length into the circumstances which have led to the introduction of an annual Money Bill dealing with the finance of London. It is sufficient for me to say that for many years past it has been a duty which has been undertaken by the Government; but there has been a growing dissatisfaction in all quarters of the House with the existing practice, and one which has found expression on more than one occasion. The objection may be stated in a very few words. Hitherto it has been impossible to introduce a Bill at a period of the Session when a proper discussion could take place on the Second Reading, and there is this additional objection, that, so far as the details are concerned, no one in the House could give a satisfactory explanation in Committee, with the result that there has been no real examination at all. It is an entire misapprehension to suppose that the Government have any wish to take upon themselves a controlling influence. Undoubtedly there is a certain amount of responsibility, but the Government do not think that they are under any obligation or duty to assume that responsibility. As a matter of fact, there has never been any real examination as to the amounts inserted in the annual Money Bill, and the present proposal is that the disability which prevents the London County Council from introducing this Bill should be removed. The effect of the proposal is to require that the Bill, so far as the principles involved in it and the general system of finance of the London County Council are concerned, shall be introduced at a time of the day and at a period of the Session when Members, who are desirous of expressing their views, shall have an opportunity of doing so. Like every other Local Body in the country, the London County Council, when promoting a Bill in Parliament, will have power to insert in the Bill the finance that will be necessary for carrying out the purposes of the Bill, and they will go before a Select Committee in the same way as other Municipal Bodies promoting special Bills for special works. With regard to the general Money Bill, the Council will, so far as they are able, produce before a Committee the estimates and such plans and details as are desirable, and in every case the power to raise the money will be conferred by a Committee. So far as that point is concerned, there will be no further supervision on the part of a Government Department. It is possible that in some instances the powers conferred may not be exercised at once, and that it may be desirable to hold them over until a later period, and in that case the Council will be in the same position as the promoters of any other Private Bill. In the event of the money asked for being insufficient the Local Government Board will, as in the case of other Local Authorities, decide by a Provisional Order whether extended powers shall be conferred. The London County Council are under some apprehension that they may be placed in a difficulty in regard to the money they may require to raise under the sanction of the Local Government Board. I think they very much exaggerate the difficulty, and that it is not likely to arise. So far as the expenditure is paid out of the rates of London, the Local Government Board will have no power whatever; they will only come in when it is proposed to raise money by borrowing. The Council say that it will be inconvenient to come to the Local Government Board constantly in regard to small sums of money which they may desire to spend. Now, I do not think that such a course would be convenient either to them or to the Local Government Board; and, therefore, it is proposed that the Council may put in an estimate three months ahead of the amount they are likely to require; and when the necessity arises, I do not think the slightest impediment will be placed in their way if they desire to borrow money. The

finance of a great city such as London is a most important matter. It is more the finance of a province than of a town, and I do not think the House of Commons would willingly part with the power of reviewing the finance of London once, at any rate, in the year. It is further proposed that when the County Council obtain power to raise money for the prosecution of a great work they shall specify in their annual financial statement the amount they propose to raise within the year, although that is not an obligation imposed upon other Local Authorities. But having regard to the obligations and liabilities of a great city such as London, and the amount of money which the Council are required to raise annually, it is quite clear that their annual statement would not be complete unless all the amounts proposed to be raised in the course of the year are fully set out. We do not propose that the Committee to which their Bill shall be referred shall have power to deal with those sums, which may have been already sanctioned by the House of Commons, unless there is a special Instruction from the House itself, and the Council will, therefore, be sufficiently safeguarded in that respect. I may add that this alteration of the Standing Orders is a matter which has been fully discussed by the Chairmen of Committees of both Houses, and that it meets with their entire approval.

Motion made, and Question proposed,

"That all Bills promoted by the London County Council, containing power to raise money, shall be introduced as Public Bills; but after being read a second time by the House shall be referred to a Select Committee to be nominated by the Committee of Selection in like manner as Private Bills;

But this Order shall not apply to a Bill promoted by the London County Council for the borrowing of money, which complies with the following conditions:

(1.) If it authorises the borrowing and expenditure for the purposes mentioned in the Bill of the sum shown by the estimates recited in the preamble to be required for each such purpose, that purpose being the execution of a power conferred or extended either by the Bill, or by some public, local, or personal Act;

Provided that the Bill may authorise the borrowing and expenditure for any purpose not mentioned in the Bill or for any purpose for which estimates are not recited in the preamble, if it fixes a maximum aggregate sum to be so borrowed, and requires every such borrowing to be sanctioned by the Local Government Board;

(2.) If it is so framed as not to authorise the borrowing and expenditure of any money after the financial period, that is to say, the period ending on the 30th day of September next after the expiration of the then current financial year of the Council;

(3.) If it is so framed as to provide for the money borrowed being repaid, whether by the creation of a sinking fund, or the redemption of stock, or otherwise, within such period not exceeding sixty years, as the Committee on the Bill, or if the borrowing is sanctioned by the Local Government Board, that Board may consider proper, having regard to the objects for which the money is to be borrowed;

(4.) If in the case of any Bill conferring or extending any power involving the expenditure of money after the financial period, the recited estimates show the total amount of money required for the execution of the power as well as the particular amount to be borrowed and expended during the financial period."—(*Mr. Ritchie.*)

*(12.35.) SIR J. LUBBOCK (London University): I have seen a statement that this Standing Order has been brought forward to-day at the request of the County Council of London. No doubt it was postponed until to-day at the request of the Council, not because they were anxious that it should be brought forward to-day, but simply because it had been fixed for a day on which the Council themselves met. At the present moment they would much prefer that it should be dropped altogether. In rising to move my Amendment I am placed at a considerable disadvantage. If this were an Act of Parliament I could move that the consideration of the matter should be postponed. Again, if this had been the clause of a Bill, it would have been open for me to move Amendments; and if I had been unable to carry such Amendments I should have been able, at the close of the discussion, to move the omission of the clause altogether. So far as the present Motion is concerned, I imagine that I should be out of order in moving that the consideration of these Standing Orders be postponed for this Session, and, therefore, the Council are at this disadvantage: that they are unable to place on the Paper an Amendment which will really carry out the object they have in view. I propose, therefore, to move the omission of the first four lines of Standing Order CXCIV., not that I have any objection to those four lines, but

simply as a mode of taking the sense of the House on the subject as a whole. Her Majesty's Government and the House have always objected, and I think reasonably, to any alteration of a Public Act by a Private Act, and still more ought this to be the case when it is a question of alteration by a Standing Order. In the first place, the London County Council will be placed in this difficulty: we are to remain under the Public Act, by which our proceedings are still to be regulated, as far as the other House of Parliament is concerned, but we shall be under the Standing Order as far as the proceedings in this House are concerned. In addition to this, our objections to the Standing Order are two-fold. In the first place, if the obligation to introduce an annual Bill is to be imposed on London, we think it only reasonable to ask the Government to continue to introduce the London County Council Money Bill in the future as they have done in the past. Secondly, we desire to continue our present relations with the Treasury. My right hon. Friend says it is desirable that there should be more control over the finances of the Council than there has been in the past; but I submit that if it is to rest with us to introduce a Money Bill instead of the Treasury, there will, in point of fact, be less control over Metropolitan finance than it has now. It must not be forgotten that at this moment there is this safeguard: that the Money Bill is fully examined by the officials of the Treasury. My right hon. Friend intimated that the examination by the Treasury is very perfunctory and unsatisfactory. We do not think so. I regret that the Chancellor of the Exchequer and the Financial Secretary to the Treasury are not present; but I do not think if they were that they would refuse to fulfil the duties imposed on them. But, at any rate, it will be certainly done away with by this proposal. Therefore, as far as the London County Council finance is concerned, the introduction of a Money Bill by the Government is a security which these Standing Orders will take away. Of course the question may be asked, Why should the Government introduce a Money Bill for the London County Council when they do not undertake the same duty for other Municipalities? My right hon. Friend gave the answer himself, because he said that the financial dealings of London are on a much greater scale. That has always been the feeling of the House. Both the Metropolitan Board of Works and the London County Council have been told, "Your financial transactions are on so large a scale that we impose on you obligations which are not imposed on any other Municipality, so that Parliament may have an opportunity of examining your finances annually." Surely, then, that is a reason why the Government themselves should undertake the bringing in of a Bill, because a Private Member, introducing such a Bill, would be under a very great disadvantage. I have the advantage of being assisted by colleagues in the Council who are seated on both sides of the House. But it is possible that hereafter the Chairman and Members of the Council may find their duties of so onerous a nature as to be incompatible with the retention of a seat in this House. I need scarcely say that the Council would be placed at a great disadvantage if they were without representation in this House, and yet were required to bring forward annually a Money Bill. Then, again, there is the question of expense. If the House imposes on us the duty of bringing in a Bill every year, it is obvious that it must be brought in as a Private Bill. If that is so, I think we ought to be relieved of the payment of fees. The Bill would not be introduced of our own motion, but as a duty imposed on us by Parliament, and we may, therefore, fairly ask to be relieved from the payment of fees. That, however, is a small part of the additional expense which may be thrown on us. Under this Standing Order we shall have imposed on us not only the fees, but the duty of producing witnesses and employing counsel. I know that my right hon. Friend does not wish to impose on us expenditure of that kind, but it certainly will happen that there will occasionally be an Instruction from the House, which will necessitate our doing so. Let me take the case of the Blackwall Tunnel. Liverpool or Manchester when they had once obtained power to make a tunnel would be under no obligation to come to Parliament again. But the London County Council have to come to Parliament every year, and what the result may be it is impossible to foretell. We may have incurred heavy expense, and then Parliament may change its mind. This is no imaginary case. Last year we introduced a Bill dealing with over-head wires; and because we adopted a clause which had been recommended by two Committees of the House the measure was thrown out. Again, with all respect to the Local Government Board, we propose, so far as our finances are concerned, to remain in relation with the Treasury. We believe that it has a favourable influence on the price of our Stock. I do not mean to say that this alteration in the policy of the Government will materially affect the value of Metropolitan Stock; but, at the same time, I think there is some advantage in the knowledge the public possess, that our Money Bills are examined and introduced by the Treasury. That is an advantage which will be taken away from us by the acceptance of this Standing Order. We think that if time were given we should be able to come to satisfactory terms with Her Majesty's Government. The proposal of the right hon. Gentleman deals with a number of very intricate questions, and surely it is not unreasonable that we should ask for a little more time for consideration. The Standing Order says—

> "Provided that the Bill may authorise the borrowing and expenditure for any purpose not mentioned in the Bill or for any purpose for which estimates are not recited in the preamble, if it fixes a maximum aggregate sum to be so borrowed, and requires every such borrowing to be sanctioned by the Local Government Board."

I have no doubt that this is capable of explanation; but, at the first blush, it is not easy to understand. Standing Order CXCIV. (b) says—

> "A Bill complying with the conditions specified in Standing Order CXCIV., if it contains no powers or provisions except in relation to the borrowing and expenditure of money for specific and general purposes and consequential thereupon, or in relation to the Consolidated Loans Fund or to borrowing by the council, shall be subject to the following requirement, that is to say:—
>
> > The petition for the Bill, with the declaration and printed copy of the Bill annexed, shall be deposited in the Private Bill Office on or before the 14th day of April, or the first day on which the House shall re-assemble after the Easter Recess, whichever shall be the later, instead of the 21st day of December in the previous year."

That, of course, is impossible this year, seeing that we have already reached the 22nd of April. There is a considerable difference of opinion among my colleagues and those who are best able to judge as to what the Local Government Board would feel to be their duty under this Standing Order. The matter was brought before the Council last week; and a resolution was unanimously passed, not only with the support of Lord Lingen, Sir Thomas Farrar, my hon. Friend the Member for St. Pancras (Mr. H. Lawson), and others of great experience, but also with the support of the Conservative members of the Council, asking the Government to give further time for the consideration of the question, so that a satisfactory solution may, if possible, be arrived at. What, let me ask, would be the practical inconvenience of allowing matters to remain as they are for another year? My right hon. Friend has made no complaint of the finance of the London County Council. It can easily be shown that they are even more strict in regard to borrowing and the payment of loans than their predecessors, and I hope they will continue to be so. No complaint, however, is made, and no inconvenience has been alleged to result from the present system. The right hon. Gentleman says that this change has been pressed on him by hon. Members in this House. Where are they? Where is my right hon. Friend the Member for Wolverhampton (Mr. H. H. Fowler), who is said to be strongly in favour of the change? I cannot think that he would have been absent if he felt so strongly in the matter. For my own part, I think the Government would meet the views of the House generally if they would consent to postpone the matter for another year. I appeal to my right hon. Friend not to resist so unanimous, and I must add so reasonable, a request on behalf of the London County Council. I beg to move the omission of the first four lines of the Standing Order.

*MR. SPEAKER: The right hon. Gentleman has referred to a representation which he made to me in regard to the Amendment he desired to move. I understand the right hon. Gentleman to say that he could not move the postponement of the consideration of the Standing Order because I had ruled that such a course would be out of order. What I pointed out was that an Amendment to omit the first four lines of the Standing Order would be sufficient, and that an issue might be fairly raised upon such an Amendment, whereas a Motion for Adjournment must confine the Debate to the Question of Adjournment. I did not mean to say that the postponement of the consideration of the Standing Order could not be moved, or that at any time the Motion could not be made for the Adjournment of the Debate.

*Sir J. LUBBOCK: What I understood you to say, Sir, was that if I moved the Adjournment of the Debate, I should only be able to give reasons in support of that Motion, without being able to enter into the merits of the question.

*Mr. SPEAKER: That was so.

*Sir J. LUBBOCK: Then I will move to omit the first four lines.

*(12.57.) Mr. H. LAWSON (St. Pancras, W.): I am sorry to find that the right hon. Gentleman opposite has not been able to come to some arrangement with a man so eminently reasonable as my right hon. Friend the Member for the University of London (Sir J. Lubbock). The Standing Order now before the House is merely a measure for the aggrandisement of the Local Government Board. It gives to the right hon. Gentleman the power of going into an area of Local Government which has hitherto been beyond his control. We all know that he is a man of conspicuous ability, and that he has administered his Department most admirably; but I do not think he can have considered the immense amount of labour which would be forced upon him and the Department by the new arrangement he proposes to make. He says it is not intended that the Local Government Board should go minutely into every item of expenditure; but the Standing Order provides that the Board is to make a Report to a Committee which is to sit upstairs to examine every Bill, and what will that Report be worth if the right hon. Gentleman does not go into these matters one by one? I fancy that the right hon. Gentleman will find that it will be necessary to have a good many interviews with the Chairman and Deputy Chairman of the London County Council and the Chairman of the Finance Committee—probably many more than he contemplates. If the supervision of the Local Government Board is to be a reality, it will be as necessary to go into all the items of expenditure as is now the case in regard to the proposals of provincial towns. There is another curious point in connection with this new Standing Order which, I think, shows that sufficient consideration has not been bestowed upon it. The right hon. Gentleman asks the London County Council to do what at present no locality has power to do, namely, to introduce a Bill under a Standing Order. I believe that it is necessary that every Bill introduced by the County Council should show a clause for the improvement of the Metropolis, and therefore this is necessary, under statutory provisions, before it can go to a Committee upstairs. As the right hon. Gentleman (Mr. Ritchie) very well knows, in the Debate on the Local Government Bill of 1888, he refused to give any general power of promoting or introducing Bills to the London County Council, or to any other County Council. I should like him, therefore, to explain how he proposes that the London County Council shall get out of the difficulty of being forced to introduce a Bill the expenses of which they have no power to defray. He says the question of fees is unimportant. I do not know whether he is aware that one provision in this Standing Order is likely to inflict upon us very large expenses by way of fees in both Houses. The Bills are only to authorise work for 12 months, and the agent says that the Council will be liable for the payment of House fees in both Houses, and that in this respect it will be placed at a disadvantage as compared with Municipal Corporations. It seems to me an unfair thing to force this expenditure on the Council at a time when the ratepayers are labouring under such heavy burdens. It is also rather a strange thing to vary a Public Act, approved by both Houses, by a Standing Order in the way now proposed. The right hon. Gentleman says the Government will be relieved from the responsibility of defending measures in the drafting of which they have had no hand. The right hon. Gentleman knows that every Bill introduced by the London County Council has been the subject of public discussion in this House. I should like to ask whether it will fall on the Financial Secretary to have to

defend the Council's Money Bills in the absence of members of the Council, or will the right hon. Gentleman have to do so?

*Mr. RITCHIE: Certainly not.

*Mr. LAWSON: Then I should like to know who will defend the Bills under such circumstances. The details are likely to be just as much discussed whether the Bills are introduced as private or as public measures. The London County Council are quite willing to be placed on an equality with the Corporations of towns; but the right hon. Gentleman proposes nothing of the kind, as that would involve the abolition of a Money Bill altogether. The right hon. Gentleman says the circumstances are vitally different. I say that, as we are forced to present our Budget to Parliament, it should not be made additionally expensive by forcing us to defend our proposals year by year against, say, the City Corporation or other Local Bodies.

(1.4.) Mr. J. STUART (Shoreditch, Hoxton): I am very much surprised that no Member representing the Treasury should have been present to take part in this Debate. There can be no doubt that the few words thrown out by the right hon. Gentleman the President of the Local Government Board (Mr. Ritchie) were in some degree a hint that the Treasury had performed its duties in what must be styled a perfunctory manner. I would very strongly urge upon the right hon. Gentleman the President of the Local Government Board and the Government the postponement of this question for a little time longer. The County Council has unanimously expressed that view; and when it is remembered that there are in the County Council Members who sit on that side of the House, as well as on this side, I think it is a matter of importance that the Representatives of what the right hon. Gentleman has himself called a province rather than a city should have some attention paid to their views. This question has been a very short time before the London County Council and before the Members of this House. The Amendments proposed by the Local Government Board are of a highly technical character, and it is impossible for anyone who is not versed in the technicalities of Standing Orders relating to Money Bills to understand their meaning. I would most strongly urge the Government to let this matter stand over till next year. No very serious difficulty is likely to arise in the meantime. There is no matter of great conflict respecting the borrowing powers of the London County Council or the expenditure of borrowed money, and if the question is postponed no one will suffer. If the proposals of the right hon. Gentleman are pushed to a Division to-day, a number of Members will come in when the Division bells ring and vote as the Whips tell them, without hearing the arguments we bring forward. This is one of the, perhaps, necessary misfortunes of considering a question of this kind at the time of Private Business. The County Council is not unwilling to have this matter considered, and desires that its borrowing proposals should be well ventilated in this House and before any Committee of this House. If there is any alteration of procedure which would secure the more efficient examination of the proposals of the Council, we are perfectly prepared to give our support to the carrying out of such a change. But it will be observed that in the changes proposed by the right hon. Gentleman there are not only alterations with respect to the power of consideration by this House of the borrowing powers of the London County Council, but there are also very considerable changes in the manner in which those borrowing powers are to be considered departmentally. It is proposed to substitute a minute control of details for a control of general amounts. There will be such an inquiry by the Local Government Board as will amount to the placing of the judgment of the Local Government Board in respect of the details of the sums borrowed between the County Council and the ratepayers.

*Mr. RITCHIE: I say that that is the case with regard to every Corporation in the Kingdom.

Mr. J. STUART: Yes; but the right hon. Gentleman is ignoring the fact that we have to come annually before the House of Commons in this matter, whilst the other Local Authorities have not; and he is also ignoring the fact that he drew this distinction himself between London and the rest of the country, that London is a province and the Representatives of London in the County Council may be safely trusted to look after details in the interests of the ratepayers. If the right hon. Gentleman founds his argument on this, that he wishes to treat the London County Council precisely in the same manner as Municipal Bodies in the country, let him give the London County Council the powers they are entitled to. We have over and over again protested that we have not got the powers which the smallest Urban Sanitary Authority possesses. As to the supervision of the Local Government Board, I want to know what more supervision they want than they have at present. They can have a complete audit of our accounts, and it is in the power of their Auditor to bring under the notice of the Local Government Board that items have been erroneously charged to capital which ought to have been put in the annual accounts. They have, in fact, as complete a supervision as can be required over the dealings of the County Council with its borrowed money. I can see nothing in the right hon. Gentleman's present proposals which is for the advantage of the public, or of the ratepayers, or of the County Council. It seems to me that if these proposals are adopted the hands of the County Council will be fettered, its responsibility will be diminished, and its good action probably interfered with, whilst the Local Government Board will be overloaded with a multitude of details over which it can exercise no supervision. Does the right hon. Gentleman know that last year there were over 200 cases of borrowing in the County Council for different purposes, besides various cases of re-lending? These are things which the County Council is the fittest body to consider; and if the Local Government Board have to consider them, it will mean getting a new staff of officers, who will be irresponsible to the ratepayers of London. This is a concession to I know not whom. The right hon. Gentleman says it has been represented that more supervision is needed over the borrowing powers of the County Council——

*MR. RITCHIE: No; what I said was that it was the opinion in many quarters of the House that the mode in which the London Finance Bill was introduced and the general arrangements with regard to London finance did not carry with them a fitting opportunity for review or proper criticism.

MR. J. STUART: If those views have been expressed, all I say is that the London County Council has no objection to the criticism, but that a series of Standing Orders embodying such vital changes as those proffered to-day by the right hon. Gentleman go far beyond the necessities of the case, and introduce entanglements and difficulties which we have endeavoured to some extent to expose, but which it would require a minute examination in Committee to bring out to the full extent. In view of the immense importance of the case, I beg the right hon. Gentleman not to force the House to vote in ignorance on this matter, but to postpone the whole subject until next year.

(1.21.) MR. COURTNEY (Cornwall, Bodmin): The right hon. Gentleman the Member for the University of London has approached this question in anything but a combative spirit. He recognised the many difficulties involved in it and the necessity to some extent of taking action, and he gave expression also to the vague feeling of distrust felt, I think, by many of his colleagues on the London County Council with respect to the proposed change. He pleaded for some more time for the consideration of the changes that are about to be made. I think he was ready to submit to the House the question whether any change at all was desirable. The Metropolitan Board of Works and the London County Council had, in his opinion, gone on very satisfactorily with the Treasury in charge of their Money Bills. I do not know what the present Members of the Treasury may say. I was in the Department for some time myself, and I know that then the feeling of the officials and the persons responsible there was one of extreme dislike to the labours thrown upon them in connection with London finance. We were made responsible, after a very unsatisfactory examination, for the conduct of the Bills in this House. It was always felt, therefore, that some change should be made, and I certainly approve the proposed transfer of the Bills of the Council, referring to the raising of particular sums of money for particular works, from the Treasury to the Local Government Board. Such questions come rather within the province of the Local Government Board than within that of the Treasury, and the Local Government

Board are better able to deal with them. I do not think there is any force in the objection that the stability of Metropolitan Stock will be affected by the change. The right hon. Gentleman then urged that if these proposals were carried, Bills of the London County Council would cease to be Government Bills, but I think there is not much force in this objection. The fact is that the Government Bill is an anomaly. No other municipality in the country has its Bills brought in by the Government, and it is certainly anomalous that the Government should be in any way responsible for the Bills promoted by the London County Council. It may be said that there may be times when the London County Council may not be represented in this House, and when its chairman may not be a Member. I think it extremely improbable that it will ever be the case that no responsible member of the London County Council will be a Member of this House. But, after all, the same thing would apply to Liverpool and Manchester, the different divisions of which are always represented in this House.

*Sir J. LUBBOCK: May I point out that no obligation is imposed on Liverpool and Manchester to introduce an annual Bill.

Mr. COURTNEY: Well, it is urged that the annual introduction of their Bill to Parliament will subject the Council to a responsibility and an inconvenience which are not imposed on other County Councils, and that in other cases the Councils have the control of works undertaken by them, after those works are once authorised, whereas opportunity would be annually given to Members of this House to raise the whole question of such works again and again. But it must be borne in mind on this point that an express Instruction must be obtained from the House before such a course can be taken, and I think it extremely improbable that such an Instruction will be granted. Then we come to the question—no doubt a grave question—that at present the London County Council is almost unanimously against going on with these proposals. I do not think it would be very easy for the Government to make any considerable change against the unanimous wish of the County Council. It must be remembered that the County Council is a new body, taking over the functions of the Metropolitan Board of Works. The London County Council has been regarded in certain quarters with a vague jealousy that has been returned by the County Council, which, because new, is perhaps a little super-sensitive to criticism. With the view to that body giving further consideration to the proposal, I propose a postponement, but I do not regard as reasonable the demand for a postponement of 12 months, and I suggest that a postponement of six weeks or two months may serve to bring both the Government and the County Council to an agreement in an amicable way.

*(1.35.) Mr. RITCHIE: The views of the Chairman of Ways and Means are always entitled to receive careful consideration. I am sorry that the County Council has taken up such a position with reference to this question, and I do not think that there is any real ground for some of the arguments which have been used by several of the previous speakers. I have taken the greatest trouble to reconcile the conflicting views of certain officials of the London County Council and the views entertained by Her Majesty's Government. When this Standing Order was put on the Paper it was placed there by me in the belief that it had received the sanction and approval of those official members of the London County Council with whom I had been in personal communication. In those circumstances I believed that the proposed Standing Order met the views of those gentlemen. I cannot concur with the Chairman of Ways and Means in what I believe will be the result of postponement, because I think it is evident that the views expressed with reference to this matter are not so much a question of degree as of principle. The views expressed by Members of the London County Council are against any change whatever, and it is not seen why the annual Bill should not be taken charge of by the Government. That is a responsibility, however, which the Government decline to take. We will not undertake to fulfil a duty which it is not possible for us adequately to discharge, and whatever may be the result, supposing a postponement be agreed to, the London County Council must understand that the Government cannot be responsible

for bringing forward or for defending proposals of this nature, any more than they can assent to attend to the finances of Birmingham, Liverpool, and other large cities. I can quote from a Treasury Minute to show that their function is not close criticism of financial proposals, but only to secure that the House of Commons has possession of full information about the financial position. Hon. Members appear to think that because the members of the London County Council are elected on a liberal franchise they ought to be placed above criticism in the matter of finance. It is also said that the ratepayers are the persons who have to express their views on the point, and that there is no reason why the Local Government Board should come between them. But the Local Government Board comes between the elective body and their finance in every other town in the Kingdom. It is not the ratepayers of the present time that require to be guarded; it is the ratepayers of the future that require to be protected. The ratepayers of the present day are not perhaps the best tribunal to decide as to how much of the cost of works should be borne by the present body of ratepayers and how much by the future; and this is one of the main reasons why close criticism is insisted upon by the House of Commons. The course which the Government propose to pursue is to postpone the further consideration of this matter. I will not at present pretend to fix a day for the resumption of the discussion, but I propose to put it down for an early day in the hope that we may be able to fix some reasonable date on which the question may be again taken up and a decision come to. I move the adjournment of the Debate.

*(1.40.) EARL COMPTON (York, W.R., Barnsley): On behalf of the London County Council, I thank the right hon. Gentleman for suggesting the postponement of this Debate. I do not agree with the Chairman of Committees that the London County Council is unduly susceptible; on the contrary, they are not averse to any changes, but they have only had a short time to consider the present proposal, and they have good reasons for objecting to the form of that proposal.

*(1.43.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The best possible course to take under the circumstances will be that both the Amendment and the Motion itself should be withdrawn; the consideration of the Standing Orders could then be put down for a future day. It will be all the more convenient if the House is able to consider the question in the light of the present Debate, but if it were merely an adjournment of the Debate the right hon. Gentlemen the President of the County Council and the President of the Local Government Board would not be able to speak. I beg to ask leave to withdraw the Motion.

*SIR J. LUBBOCK: I am quite ready to withdraw my Amendment, and accept the suggestion of the right hon. Gentleman.

*MR. SPEAKER: The Amendment has not been put, and therefore the House is in no difficulty about its withdrawal.

Motion, by leave, withdrawn.

STANDING COMMITTEES (CHAIRMEN'S PANEL).

Mr. Osborne Morgan reported from the Chairmen's Panel: That they had appointed Mr. Salt to act as Chairman of the Standing Committee on Law, and Courts of Justice, and Legal Procedure in the place of Mr. Campbell Bannerman.

Report to lie upon the Table.

ORDERS OF THE DAY.

PLACES OF WORSHIP ENFRANCHISEMENT BILL.—(No. 8.)

SECOND READING.

Order for Second Reading read.

(1.50.) MR. S. T. EVANS (Glamorgan, Mid): In moving the Second Reading of this Bill, it will not be necessary to detain the House at any great length in explaining it. All the members of a very strong Committee in 1889 joined in recommending the principle of the Bill, which does not propose to transfer any part of the property of one private owner to another private owner, but only to enable the trustees of religious bodies, on paying fair compensation, to become the owners of their places of worship. The Bill is not limited to any sect; it applies to all denominations, including the Church of England. I believe the Church of England take care not to erect any churches or chapels on ground that is not freehold, but it is impossible for Nonconformists in many places to acquire freeholds at all. It is beyond doubt that the places of worship of Nonconformists have in many parts of the country been erected on very short leases. On Lord Penrhyn's estate 20 chapels have been built at a cost of £45,000 upon a 30 years' lease. Is it reasonable that on the expiry of such a lease the landlord should be able either to take away the buildings entirely or to raise the rent and impose any conditions he wishes upon the worshippers? The details of the Bill are as simple as the principle, and if the House should accept the principle I hope we shall not have any minute discussion of the details on this occasion, because after the Second Reading the Bill may be referred to a Select Committee or to the Standing Committee on Law. The first thing to be done if the Bill become law is to give notice to the immediate owner that the trustees are desirous of purchasing the fee simple, and require him to say what other persons are beneficially interested. Within 21 days after the service of such notice the lessor or owner has to furnish the particulars required and to state the amount of the purchase money he claims. If there should be any difficulty in agreeing as to that sum, it is proposed that the County Court of the district, which has already the machinery for the purpose, shall say what the amount of compensation should be. Then it will be in the power of the trustees to pay the money into Court, and the trustees will be entitled to receive from the Judge a certificate which would convey the fee simple to them. It has been made abundantly manifest to the Town Holdings Committee that there is a widespread desire for some such measure as this. The Committee affirm that it is most desirable that all religious bodies should be able to obtain a secure tenure of their places of worship and schools. The unanimous recommendation of the Committee was in that sense. I have not heard what course the Government propose to adopt with reference to this Bill, but I hope that after the unanimous

recommendation of a Committee, the majority of whose Members belonged to the Tory Party, they will on this question allow their supporters a free hand. The Bill does not propose to inflict injury on any one. Let us inquire for a moment into the position of the landlord. A chapel or school is built upon his land: he gets the ground rent. What good would it be to him to recover possession of the land? He would have to demolish the building which had cost £2,000, £3,000, or even £5,000, because it could not be used for other purposes. I do not think that any religious body would take over a building which another sect had been obliged by the action of the landlord to surrender. Therefore, I do not think the landlord would desire to re-take possession of his land. I hold that the law ought not to enable him to do so. After all, it is to the advantage of the landlord to have a place for religious worship built upon his property. It does not deteriorate from the respectability of the locality, it tends instead to promote good conduct on the part of the people. I say, therefore, that as the Bill inflicts iniury on no one, and will remove a great practical disability under which religious bodies are now suffering, I hope the House will read the Bill a second time. It will, perhaps, be said that there have been very few cases of landlords who have taken advantage of their right to resume possession of the land. This I do not admit, but, even if it were true, there would be a case for this Bill, because religious bodies naturally desire to have an absolutely secure tenure, and to become absolute possessors of places which to them are sacred and full of touching recollections. I trust that the Government, even if they oppose the Bill themselves, will not influence their supporters against it.

Motion made, and Question proposed, "That the Bill be now read a second time."

(2.5.) MR. H. BYRON REED (Bradford, E.): The hon. Gentleman who moved the Second Reading of this Bill urged that it would do away with a great injustice. In that I differ from him. I think I shall be able to show that the Bill is a bad Bill; bad in theory, bad in principle, bad in its inevitable effect, and bad in the machinery by which it proposes to work. In the first instance I should like to point out that the principle of the Bill, so far as it has any principle at all, is really an application to this House for State establishment and endowment of Nonconformist Bodies, and hon. Gentlemen will find some little difficulty in reconciling that position with the attitude which Nonconformists usually adopt. Whatever their intentions may be, this is simply an application to this House for the adoption of a measure which, if it becomes law, will give by force of Statute Law peculiar privileges and prerogatives to Nonconformist Bodies. If the matter ended here I, perhaps, as a strong advocate of the union of Church and State, would find no objection to the measure; indeed, I should be able to show that the Nonconformists are already in a legal sense established. But the Bill does a great deal more than affirm that principle. It brings very considerable hardship and disability to bear upon persons who are directly concerned in its provisions. I may just point out in passing that it is a somewhat singular circumstance that Nonconformists should apply for statutory powers for the acquisition of sites for edifices just at the time when the National Church of the Kingdom is asking this House to take from it the peculiar privileges which it at present possesses in that respect. There is a Bill now before the House which proposes to repeal those clauses of the Church Building Acts which give compulsory power to the Church of England to acquire sites for church building purposes. The Bill has been introduced in past Sessions, but it has never passed a Second Reading in consequence of the opposition of hon. Members opposite. The reason why from this side of the House the Bill is brought forward is because it has been proved and shown in Parliamentary Returns that in only one case, since the Church was given the power, has it found necessary to exercise it. Thus, while Churchmen are asking the State to take this special power away because they do not want it, hon. Gentleman opposite, who are in close alliance with the Liberation Society, who profess a desire to see the absolute independence of religion from State patronage, and who teach that the State has no concern with religion, are demanding special privileges for their own denominations. I should like next to point out that the Bill of the hon. Member for Glamorganshire contains no definition of the words "religious body," words that occur in it several times. Nor does it propose any limitation of the measure to religious purposes. I wish that hon. Members opposite would favour the House with a definition of the words "religious body." Other bodies besides what I may term the orthodox Nonconformist religious assemblies might fairly claim to be religious bodies, and to come under the provisions of the Bill.

Mr. S. T. EVANS: The phrase "religious body" has been used over and over again in Acts of Parliament; it is perfectly understood, and a definition is therefore unnecessary.

Mr. H. BYRON REED: Hon. Gentlemen opposite may understand it, and the meaning may be generally understood in regard to ordinary matters. But this Bill marks what is a new departure. When the House is asked to pass a measure endowing Nonconformity at the expense of landowners, it has a right to know precisely what kind of Nonconformity the framers of the Bill contemplated. My next objection to the measure is that it contains no limitation of the uses to which the buildings to be acquired can be put. It will be possible for a religious denomination, after it has acquired possession of the site of a chapel, to sell it for the erection of secular buildings, or to sell the chapel itself. I could point to a number of cases, one of them not very far from the precincts of this House, in which Nonconformist places of worship have been thus sold. And why? Because the neighbourhoods in which they have been situated have become too poor to maintain them under the voluntary system, and they have been obliged to move to fresh fields and pastures new. Again, there is no provision in the Bill for the reversion of the land to the original owner in cases of that kind. I hold that the precedent set in the Elementary Education Act of 1870 in this respect ought to have been followed. That Act, whilst granting compulsory powers for the acquisition of sites for schools, provided for the reversion of the property to the original owner if a school building should cease to be used for the purpose for which it was erected. It is true that the Report of the Town Holdings Committee was in the direction stated by the hon. Member, but I think he is mistaken in saying that it was a unanimous Report. On that particular point I think there was a minority of two-fifths.

MR. J. ROWLANDS (Finsbury, E.): No, no; refer to the Report.

MR. H. BYRON REED: Of course I accept the correction. In the next place, I should like to point out that the Bill provides not merely for taking property held under lease, but property held under annual tenancies. What might happen under Clause 2 is this. The Salvation Army might hold its peculiar services in a hall held under an annual tenancy. This hall might be used at considerable profit for concerts, entertainments, and other week-day meetings, but under this Bill the Salvation Army would have a right to acquire it.

COLONEL NOLAN (Galway, N.): Nothing of the sort.

MR. H. BYRON REED: I am aware that I am taking an extreme case, but when this House is asked to strike a serious blow at the foundations on which the ownership of land and buildings is based, I think we are entitled to take extreme cases. I say the Salvation Army would be entitled in such a case, if this Bill became law, to serve a notice on a body or individual from whom they hired the hall, with a view to its compulsory purchase. Anything more subversive of the first principles of bargain between man and man I cannot conceive. In the next place, I hold that the tribunal which the hon. Gentleman by his Bill will bring into requisition for its working is a totally unfit tribunal. County Courts were never intended to discharge the duties which this Bill proposes to place upon them. I maintain that the tendency of legislation of past years has been wrong in putting extra work on these Courts. Their original purpose was to give a cheap, ready, and speedy tribunal for the settlement locally of unimportant cases; the Judge was to be a poor man's Judge, and it was never intended he should become a minor Judge of the High Court, or that cases should be put upon him which involved vast interests, such as might arise under this Bill. Finally, I should like to point out a possible effect of this Bill, which the hon. Member probably has not contemplated. I believe if this Bill becomes law, or if there is a prospect of its speedily becoming law, the owners of buildings who have the power to eject Nonconformist Bodies, may be trusted to put that power into operation; and in the future owners of buildings would be more than ever chary of entering into bargains for tenancies with Nonconformist Bodies; and, therefore, so far from promoting the object which the hon. Member has in view, this Bill would, in the long run, cause greater difficulties than have ever been experienced in obtaining sites for Nonconformist places of worship. On all these grounds—the absolute absence of definition of religious bodies, the confiscatory nature of the proposals, the unfair burdens cast on the County Courts, and the hopeless intricacy in which the provisions of the Bill are involved, I beg to move that this Bill be read a second time this day six months.

(2.21.) MR. TOMLINSON (Preston): I beg to second the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question, to add the words "upon this day six months."—(*Mr. Byron Reed.*)

Question proposed, "That the word 'now' stand part of the Question."—(2.20.)

(2.40.) COLONEL NOLAN: I shall not notice, at any great length, the remarks of the hon. Member for Bradford (Mr. Byron Reed) because he seems to be rather jealous lest Nonconformists or Catholics or any other body should get the same privileges as are now enjoyed by the Church of England. [An hon. MEMBER: No!] It was given in evidence before the Select Committee, of which I was a Member, that the power of enfranchisement was enjoyed by the Church of England. The hon. Member gave as an instance of what might occur under this Bill, the case of a music hall, the freehold of which might, he said, be compulsorily purchased because an occasional Salvation Army service was held there. I think that is a very bad case. Of course, if the Salvation Army conducts a religious service regularly in a building it ought to come under this Bill; but I think the promoters of the Bill would consent to have it made perfectly clear that any place which was only used occasionally for religious services would not be included in the provisions of the measure. In my opinion, a Bill of this kind is very much wanted. As far as the English case is concerned, I am only entitled to speak of it inasmuch as I was for a long time a Member of the Town Holdings Committee—a Committee which will, I think, have had the honour of examining more witnesses, costing more money to the country, and producing a larger number of Blue Books than any other body of the kind that has sat in this House. We have made several Reports. One of them was to the effect that the enfranchisement of the church and chapel buildings was very much needed, and specific mention was made of Wales, of Devonport, and of Sheffield. Sheffield is not very far from Bradford, and I think the hon. Member for Bradford ought not to have tried to prevent the Nonconformists of Sheffield obtaining this privilege. I have, however, risen chiefly because we have such a very strong case in Ireland on this subject. I am aware that at present Ireland is omitted from the Bill. The omission is a most unfortunate mistake, because I think that Irish Members have themselves had the honour of initiating Bills on this subject. I think the only faults to be found with the present measure are that no Irish Member's name is on the back of it, and that it does not extend to Ireland. However, even if the Bill cannot be made to apply to Ireland, it is important, from our point of view, that it should be passed, as we shall be able to quote it as a precedent. To show how important it is that the Bill should be extended to Ireland, I may say that evidence was given before the Town Holdings Committee to the effect that a Cathedral, which was said to have cost £30,000, but which I always understood had cost £60,000 or £70,000, was built on a plot of ground without any title except a lease. Fortunately, the owner of the land and his family were very good landlords; but for want of a title the whole thing has got into such a state of chaos that nobody likes to pay any rent in case it should go to the wrong person. It is very easy to understand how cases of this kind arise. It is extremely expensive, and used to be still more so, to get a bit of freehold land. The collateral descendant of the very same landlord who let the land for the Cathedral sold some land for a cemetery about 8 or 10 years ago, and a witness before the Committee said that no less than £300 went in law costs over the purchase of that piece of ground. Many a plot of leasehold land has been acquired for religious purposes because the clergyman was very glad to get a piece of land at all, and did not trouble to look into the title. A great many of the chapels in Ireland are built either on leasehold land or on land without any title at all. I would ask the House what is the use of letting a Town Holdings Committee sit for five years in succession if you are not going to take any notice of its Reports? On this point the Report of the Committee was, I believe, perfectly unanimous. [An hon. MEMBER: No!] Well, I do not know any Member of the Committee who differed from the Report or divided against it. I see one hon. Member opposite who was on the Committee, and I notice that he does not contradict me. In my opinion it will injure the Established Church very much if the present state of things is allowed to continue. The hon. Member for Bradford says the Church of England has not the privilege of enfranchisement.

MR. H. BYRON REED: I did not say we had not the right; I said we were willing to relinquish it.

COLONEL NOLAN: It must be borne in mind that whilst the buildings of the Church of England are almost universally on freehold land, the same cannot be said of the chapels of Nonconformists and Catholics. I know that in old times it was almost impossible to get a bit of freehold land for the purpose of building a Catholic chapel. In Ireland, the Church of England has inherited several plots of land in almost every parish; but the Catholics are not able to get freehold land, and the tenure of their places of worship is, therefore, subject to the whim of a capricious landlord, although I quite admit that it is very unlikely that they would be turned out of their chapels.

(2.57.) MR. RENTOUL (Down, E.): I wish to say a word in favour of this Bill, and I think the best course I can adopt is to acquaint the House with the position of a Nonconformist chapel with which I am myself acquainted. When it was built 30 years ago, in a populous district in Woolwich, the people could not get a site except in a back street, and upon the condition that they paid £13 a year for land that was worth about

£1 a year, and that at the end of 90 years the chapel should be handed over to the landlord in the highest state of repair it had been in during any period of its existence. The people had to lay out £2,000 in obtaining a foundation, and they then built their church at a cost of £8,000. They have since spent a large amount of money — perhaps foolishly — in putting stained glass windows and so on into the church. At the end of 60 years the building must be handed over to the landlord. He, and his predecessors, will have received for 90 years a rent much in excess of what he could have got from anybody else, and at the end of the period he will obtain a property worth £10,000. I just mention these circumstances, because this is the only church of which I have been a member in this country, and I think the facts will have some weight with the House. I am afraid it may be thought that Members on this side of the House generally are against this Bill. As a Nonconformist I support it, because I think it would be utterly unfair that Members on this side, who sometimes make use on platforms of the fact that we are Nonconformists, should appear to turn their backs on anything Nonconformist when it comes into this House. There has come into my hands a very extraordinary document which is supposed to contain in short form everything that can possibly be said against this Bill. The first three or four paragraphs seem to me extremely foolish and hardly worthy of any notice at all. The first paragraph refers to the immorality of religious bodies having entered into an agreement to give up possession at the end of a certain period of time, trying to get an Act of Parliament passed to get rid of their obligation, and deprecates the breaking of stipulations of a lease entered into. But would not a similar objection apply to three-fourths of the Bills brought before this House for remedial legislation? Another objection, and this was urged by the hon. Member for Bradford, is that the County Court should be made the tribunal in the case. To this I say I would not insist upon the County Court if a better tribunal could be suggested. I do not know that it is the best tribunal that could be selected for this purpose, but that is not a matter essential to the Bill at all. There is, I admit, very great force in what the hon. Member for Bradford said as to the looseness of definition in the phrase "religious body," and I am afraid the answer of the hon. Member for Glamorgan, when he says the same expression is used in other Acts, hardly gets over the difficulty. I know difficulties will arise from the want of a more precise definition. But I suppose this is a point that can be met in Committee. Then it has been urged by speakers against the Bill that the measure is promoted in a short-sighted spirit, because owners of property who have hitherto acted generously in the leases they have granted to religious bodies will hesitate in future, owing to the consequences their generosity may involve under this Bill. That, I admit, is a difficulty as it stands, but I think it can be met by giving compulsory powers to religious bodies under sanction of a Public Authority. The hon. Member for Bradford says that the supporters of the Bill are illogical inasmuch as they, being opposed to religious establishment, by this Bill recognise religious establishment. But is it not equally illogical that the hon. Member for Bradford, being in favour of religious establishment, should oppose the Bill? But I have heard one remark from an hon. Member on this side which indicates, I think, what will have more weight than any other argument, that is that this is the thin end of the wedge for a great many Radical changes—towards leasehold enfranchisement, for example. Now, many of us here are distinctly opposed to leasehold enfranchisement, but I do not think that anything that concerns a religious body can be the thin end of the wedge in regard to secular contracts. Places for religious worship are surrounded by conditions totally different to those which apply to buildings for secular purposes. I do not think if the Church of England were a secular body any man would be found to advocate the Establishment, and those of us who do not belong to the Church of England and who support it, do not do so on the ground that it is a corporation or society, but simply as a religious body. To religious bodies this Bill will be extremely beneficial, and I hope it will receive a considerable amount of support from this side of the House.

(3.5.) MR. AMBROSE (Middlesex, Harrow): I am rather sorry that the religious element should have been introduced into this discussion, but still in the view I take I am not influenced by any considerations of the kind, and certainly not by any feeling of hostility towards Nonconformist or other religious bodies. I am prepared to accept, though not to the fullest extent, the statement that there are at times difficulties met with in securing sites for the erection of places of public worship for Dissenting Bodies. Let that be conceded, though I do not think the difficulties exist to the extent stated, and I have had some experience in relation to such matters. But accepting the statement, what is the remedy? Is it necessary to come to the House with a Bill like this which is to place the property of owners at the mercy of those who want that property without any check whatever? If there be difficulties such as have been described, why does not the hon. and learned Gentleman introduce a Bill vesting in some Local Authority, say, the Local Government Board, acting by officials trained to dealing with such matters, the power to acquire land for the purpose? I refer to the Local Government Board for the officials of the Board have given satisfaction in all parts of the country where their intervention has been invoked. Why not bring in a Bill laying down certain lines upon which sites may be acquired for places of public worship wherever you have landlords acting obstructively and unnaturally, as they are represented to act sometimes? No doubt there are cases where a landlord may act in "a dog in the manger" manner, or he may desire to develop his property in some other, and as he thinks, a better way. But if there are other places where a building for purposes of public worship may be erected, why compel this one man to dispose of his land? If a landlord acts unreasonably let the case come before the officials of the Board, and let the Board proceed to act on the compulsory powers and on the lines Parliament may lay down for the purpose, and to govern such cases. But in this case you establish a power of private interference with private rights. I am not here to deny the right of Parliament to interfere, but I do deny the right of Parliament to interfere with private rights except on grounds of public interest. The hon. Member who introduced the Bill and those who have followed him have said that the Bill comes before us in the light of a recommendation of the Town Holdings Committee. Now I have the greatest respect for the legal acumen of the hon. Member for Glamorgan, but with great respect I think he is mistaken on this point.

*Mr. LAWSON (St. Pancras, W.): The principle is recommended.

Mr. AMBROSE: What was the recommendation of the Committee on Town Holdings? The Committee think that it is most desirable on public grounds that all Public Bodies should be enabled to obtain and secure the tenancy of places of worship and schools, and they consider that freeholders who have granted land for such purchases should agree to it being so held in perpetuity on receiving the full value of their interest.

Colonel NOLAN: It was another Report I referred to containing a stronger recommendation — that the leasehold ought to be enfranchised.

Mr. AMBROSE: I have looked through the Report, and this, I think, is the only one dealing with the question. They Report that they have taken certain evidence and they reserve further questions. Let me point out what this recommendation involves. They consider that a freeholder having granted land for such a purpose, there is good reason for it being so held in perpetuity. That involves simply the case of the freeholder who has granted, and the trustees on the other hand of the chapel or school. The freeholder has granted the land for the purpose of chapel or school, and anybody will readily understand and quite appreciate that when a freeholder has granted a plot of land for a chapel, that he would naturally suppose that the trustees would want it in perpetuity, that it having been appropriated to purposes of public worship there would be a sort of consecration about it, that it would be sacred in the eyes of those who worship there. Although I do not go the whole length of accepting the view of the Committee, I appreciate that this is a totally different case from the ordinary claim for enfranchisement, and the landlord must have had in view that the land was expected in all probability to be held in perpetuity. Further, the capital laid out upon it ought to be taken into consideration by every landlord, in giving some sort of equitable consideration to those who have taken the site. We may presume that when a landlord grants a lease to trustees, and they expend this capital, that at the end of 40 or 50 years it is understood that their right will not be materially interfered with. But is this in the Bill? The Bill does not require that the freeholder shall have granted a lease for the purpose of building a chapel upon the land; it does not require that any religious community shall have spent a farthing upon the erection of a building. It interferes with the deferred interests of the landlord; it interferes with the rights of the reversioner which may come into operation in the course of two or three years from the granting of the lease. Now what is the Bill?

> "From and after the passing of this Act, the trustees of a religious body shall have the right to acquire the fee simple of or freehold or other reversion expectant upon the determination of any lease or term under or for which a place of religious worship is held by or for such religious body."

That is to say any religious body who have got possession of a building which they use for purposes of religious worship may claim it suddenly in the terms of the Bill and oust the owner. Why, the freeholder who is thus to be denuded of his right, may have had no voice in the letting of the building, it may be held under a sub-lease for a short term or even under a tenancy from year to year; and is a religious body, who may happen to have got possession of any building, and who use it for purposes of religious worship, to come under the provisions of this Bill, and demand that the freeholder shall sell his reversion? Now it is asked what object can a freeholder have in wishing to get possession of a chapel? Well, many of the leases under which trustees have possession may have been granted for a short time, merely because the freeholder has the residue of a term on his hands, and knowing at the end of 10 years or so the building will have to be pulled down he may have other building schemes in view, he may want the site for a public institution or a hotel—I do not mean simply a place for the sale of drink, I mean for the hotel accommodation necessary in every community. He may want it for a hospital, a market place, or for any other public purpose, but the existence of this right will prevent the freeholder from using the site for a purpose that he may have had in contemplation for many years. If this enfranchisement scheme is brought into operation it may defeat the entire plan for the development of property of which the site of the chapel may form a small part. Of course, there may be cases in which a right of this kind may be necessary. Granted that members of a religious community should be able to have a place to worship in. I presume that if any right of the kind is conferred there must be proper compensation for the owner. But the hon. Members seem to ignore the extreme difficulties incident to the acquisition of reversionary rights. Hon. Members have not quite correctly expressed the opinion of the Committee on leasehold enfranchisement.

*MR. LAWSON: They have recommended this particular form.

MR. AMBROSE: They have drawn attention to the advantages and disadvantages. But I pass from that, which is not the question now. They have expressed a general, though not a strong disapprobation; their opinion is not in favour of leasehold enfranchisement. But they were dealing with the simple case of a lease granted by the freeholder. But this Bill will disturb all sorts of interests. Take the case of Trustees who have got a chapel on a part of a larger property. They may hold it from a leaseholder who derives £50 from that and £100 from another portion, and who pays £100 to the superior ground landlord. There are almost endless ramifications existing in the division of interests as a matter of every-day life, and you cannot insert such a principle as this in the Bill without causing the greatest amount of disturbance of the interests of all concerned. "Wherever leasehold enfranchisement," say the Committee, "is resorted to, it should be in the form of awarding full compensation and the payment of all costs." Now, this Bill professes to deal with the question of compensation; but the proposal is that the whole of the money shall be paid into the County Court, and then, instead of following the procedure under the Lands Clauses Act, whereby the interest of everybody is guarded, the various interests are to fight it out among themselves as to the proportion in which the money is to be divided, and not only so, but they are to do it at their own cost, for by the terms of the Bill it is provided that when the sum to be paid is settled by the Court, that sum is to be paid into the Court, and the Trustees have nothing more to do with the matter; but the Court makes an order for division as it thinks proper. — Trustees buy a chapel, and the compensation is assessed at £2,000. The immediate landlord is entitled to some portion of this, but he has a superior landlord, and his interest is affected by mortgages and settlements. I can assure hon. Gentlemen I am not drawing on my imagination; it is a matter of every-day life to find mortgages and settlements overriding ground rents, and these things are conditions attaching to every title. But the provisions of the Bill leave it for all these persons—the first landlord, the second landlord, the third landlord may be, the ultimate reversioner of the fee-simple—every claimant to compensation —to fight out the matter in the Court at his own cost.

MR. S. T. EVANS: Will the hon. and learned Gentleman allow me to say he is mistaken? If he will turn to Clause 5 he will see that the Court is to settle the amount of purchase money to be paid for the purchase of the respective interests of the persons beneficially interested. It is not payment in a lump sum.

MR. AMBROSE: Shall settle the amount of compensation for the respective interests; and then the Bill goes on to say that the amount shall be paid into Court, and the Court shall divide it between the parties according to their respective claims. That is a totally different provision to that found in the Lands Clauses Consolidation Act. There you have proper provision for every interest. There is no payment into Court at all unless there is a difficulty about the title. Wherever a man makes out his title his interest is secured. But here the whole amount is to be paid by a lump sum into Court. It is quite true there is the word "respective" which escaped my attention, but that does not alter my view. The Bill provides that the amount is to be paid in a lump sum, and then the parties have to determine at their own cost the proportions to which they are entitled. I have no hesitation in saying that in nine cases out of ten, by the time the apportionment is determined, there will be nothing left to divide. I ask hon. Gentlemen what is the necessity for this? It may very well be that there is a chapel next door; there may be a site within a few hundred yards available at a reasonable price; yet, according to the Bill, the Trustees will be entitled to proceed compulsorily to the enfranchisement of a particular site. How can such a proceeding on the part of Trustees be justified? Although adjoining, or in the immediate vicinity, there may be a vacant site available, are the Trustees still to have full liberty to compulsorily acquire the property of another person? Surely such a proposition is absurd and inequitable, and cannot be justified. Even though there may be here and there a case of hardship, are Trustees, having entered into a contract to give up possession at the end of a certain term, to be allowed to repudiate that part of their contract? I cannot see how a Religious Body—Church of England, Catholic, or Dissenting—can justify the repudiation of an agreement unless there is some real wrong in the matter which is pointed out. It seems to me that there can be only one justification for a Bill of this kind, namely, that which is presented by Railway Companies and others who come to take land compulsorily—the necessity of the case. Granted that they are necessary, then I will give you all the powers you require. Show the necessity. But I object to your being the judges in your own cause. If the London and North Western Railway Company wanted powers to take land, I should object to their being the judges of the necessities of the case. I would rather that they should go before a Committee of the House of Commons, or some official of the Local Government Board, who, acting on definite rules, would say whether or not a case of necessity has arisen. Then, when you have got that system, you want the means of securing due compensation. This Bill ignores that altogether. It is idle to contend that the County Court Judge is a proper tribunal to assess compensation in cases of this kind. The County Court Judge has already enough work to do without having business of this kind thrust upon him. Moreover, the valuation of lands and premises is not to be carried out by rule of thumb, upon the evidence of a set of sworn valuers, a gang of men who would be brought forward for the purpose of running down the value of land in favour of those who sought to acquire it. The County Court Judge, as a matter of fact, would do what I have been told is often done by valuers who have not shown the largest amount of zeal and activity, that is to say, would sum up the total of the valuations and then strike a mean between them. The true secret of our liberty is the protection afforded by our Constitution to private rights. We value men's private rights, and we only sacrifice them when it is necessary to do so for the public good. But this Bill proceeds on wrong lines altogether, and I shall vote against it.

*(3.35.) MR. H. LAWSON: I think the House will understand from the support given to the Bill from all quarters that this is not a Welsh question alone, and that its defence will not necessarily be conducted in the Welsh dialect. An attack was made upon it, first of all, by the hon. Member for Bradford (Mr. Byron Reed), to whom the mention of a place of worship is like the waving of a red rag before a bull, and excites in him all the passions of the *odium theologicum.* The hon. Member immediately proceeded to drag in the Liberation Society, which has no more to do with this Bill than he has himself. He feels obliged to drag that body into every Debate in which he takes part, like King Charles's head in Dickens's novel. We do not wish to deal with the question as depending on the establishment or disestablishment of the Church. That is foreign to the Bill; and if the hon. Member could only be induced to realise that, it might be possible to persuade him to vote in the same Lobby with us. As a matter of fact, the Church of England enjoys far larger powers of compulsion in this matter than my hon. Friend proposes in the Bill. By the Act of 1818, for promoting the building of additional churches, supposing the Commissioners under the Act think "it proper and expedient" that any church should be built or any existing building enlarged, they have power to acquire whatever land is required. I could understand some objection being taken to the powers conferred by that Bill; but if we believe in the maxim that "equity loveth equality," I cannot see that, when the Church of England enjoys such powers, we should not give to the Nonconformists the right not of acquiring, but of retaining, their property.

MR. H. BYRON REED: I pointed out that the powers held by the Church are practically never used, and that a Bill has been proposed to repeal them.

*MR. H. LAWSON: He said that a Bill had been brought forward to repeal them by some hon. Member. But that Member is not the Archbishop of Canterbury, and I do not know by whose authority he acts, nor, in fact, who he is. The hon. Member's statement proves nothing to us except that it reveals a latent suspicion that the powers of the Church must soon be extended to other bodies also. The hon. and learned Member who preceded me in the Debate has not contributed much to the elucidation of the question. He had not the advantage of sitting on the Committee for some six years as we had; and though he has glanced at the Report, he has not taken the trouble to understand the recommendations which were supported by every Conservative and Unionist Member on the Committee, and which are in the direction of my hon. Friend's Bill. I would point out to the hon. and learned Member that there is not a word in the recommendations about a term of 30 or 40 years being the period of the original grant. Their recommendation is that in all places all Religious Bodies should have power to acquire their buildings and schools.

MR. AMBROSE: The land must have been let by the landlord for the purpose of religious buildings.

*MR. LAWSON: The hon. Member said something about 30 years. The Committee were opposed to the Leasehold Enfranchisement Bill, but they supported the principle that the localities should be empowered to acquire estates, and then sell them in severalty to the various occupiers. That is not pertinent to this Bill, but I give this as an illustration to show that the hon. and learned Member is mistaken as to the meaning of the recommendations of the Committee. We took evidence for several years on the question of the tenure of chapels, and there was not a single case brought before us where there were any intermediate leases. In every case in

Wales and the country districts in England, and even in London, there was a direct lease given by the owner of the land for the erection of the chapel, and the only persons affected, therefore, would be those holding the immediate leases. That disposes of some of the objections the hon. and learned Member raises.

MR. AMBROSE: Read the recommendations of the Committee on page 39.

*MR. LAWSON: They have been read already. The Committee say, however, that they think it desirable on public grounds that all Religious Bodies should be able to obtain secure tenure of sites for places of worship and schools, and that freeholders who have granted land for that purpose have no good reason to object to this arrangement, his interests being secured by payment of fair compensation. We do not propose to do away with that compensation. On that Committee there were, of course, a majority of supporters of the Government. We had such men on it as Lord Radnor, the hon. Member for Essex, the hon. Member for the Kingston Division of Surrey, and all the "Church and State men"—as the hon. Member for Bradford would call them—voting for, or rather not voting against, this proposal, which was moved by the Chairman, and carried unanimously. Who, I ask, are the best people to judge of the necessities of Nonconformist Bodies? Those who belong to the Church of England, like the hon. Member for Bradford, and who have simply formed an opinion of the Bill from a hasty perusal of a Blue Book in the Library this morning, or the Members of the Committee, say the necessity for this Bill is clearly shown by the evidence submitted to the Town Holdings Committee. That Committee heard a great deal of evidence from different bodies in Wales, and particularly from Festiniog, and it appeared that the members of Nonconformist chapels there desire nothing more than to be able to obtain a secure position for their places of worship and to be exempt from the chance of a refusal to renew the lease of their chapels to which they are attached by every sort of memory and association. Evidence was given from Sheffield in one case to show that when the lease of a Wesleyan Chapel in a densely-populated district fell in, the ground rent, which had been £8 16s., was raised by the Duke of Norfolk to £100, the surrender of a 14 years' lease, which was equivalent to a premium of £1,500. I do not mention that to the detriment of the Duke of Norfolk, but to show that at the termination of the lease the lessees frequently find that the landowner asks an absolute rack-rental at a commercial figure, just as if the chapel were a warehouse or public house, or any other place devoted to purposes of trade. It is obvious that a congregation consisting of working men are utterly unable to pay the same rent that might be paid for a building out of which large profits have been earned, derived from advantages of situation. Does the hon. and learned Gentleman opposite think that in his own Division a congregation who had been worshipping in a particular spot would think they met with just and equitable treatment if they had to surrender their building in order to enable a public house or an hotel to be erected instead? Hotels are, no doubt, very useful buildings, but they need not take the place of chapels any more than they need take the place of churches. Why, I ask, should the Nonconformists be denied that privilege which is given to the Church of England? I have a Return of leasehold Congregational chapels in London, and from that it appears that within a few years 48 chapels in London have ceased to exist, the land on which they stood having been devoted to trading and other purposes. The leases were determined because the terms of renewal could not be met. Many of these were historical temples of various sects. As many more are now in the same precarious condition. In one case a lease will shortly expire, the ground rent reserved by which is £100. That is to be raised to £500; and as that cannot be found, a chapel which originally cost £18,000 will be lost. There is much bitterness and soreness of spirit engendered by the present hardships, and I hope the House by reading this Bill a second time will do their best to remove what is really an inequality and an injustice, and, what is equally important, will remove that cause of inequality and injustice which works so much evil.

(3.55.) THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I have personally very great sympathy with many of the sentiments expressed by the supporters of the Bill. I do not myself belong to the Church of England. On the contrary, I belong to a Religious Body which, I suppose, has been more unpopular than any other in England. The difficulty that body has experienced in obtaining sites for places of worship has been extraordinary. We have been obliged to take refuge in mews, being unable to get into the public streets; therefore, my personal sympathies are with those who favour some legislative means of acquiring sites in cases in which they cannot otherwise be obtained. But, nevertheless, looking at the matter as a lawyer and a legislator, it seems to me that the only principle on which this Bill can be defended has been completely passed over. I have heard no attempt made to justify the general principle of applying the machinery of compulsion to the acquisition of sites for places of public worship. The House of Commons has always been extremely jealous of taking away any man's property by compulsion unless at least two leading conditions are fulfilled, namely, first, that the object is one of obvious and clear public utility; and, secondly, that the machinery of compulsion is the necessary machinery to carry out the object. I hope no one will think that I do not regard religious objects as matters of a most useful character; but the question whether a religious object is one of public utility must depend upon the extent of the Religious Body with which you have to deal. In England, for instance, the Roman Catholics can make no pretensions of that sort, because they are only a small and disregarded body; but in Ireland the case with them is different, as the great majority of the people belong to the Roman Catholic Church. In Ireland the erection of Roman Catholic churches may be regarded as an object of public utility, but in that country—and I hope I shall offend no one when I say it—the antagonism between the Roman Catholic Church and the former Established Church is as deep and bitter as in any other country in the world. I am not imputing blame to anyone, but merely recognising the fact. Still, the antagonism of the landowners to the popular religion in Ireland has not prevented the erection of churches, so that even where public utility is established in a matter of this sort, I do not think it can be shown that it is a matter of public necessity. It is clear that the operations of voluntary purchase have been sufficient in Ireland. As to the evidence given before the Town Holdings Committee with regard to Lord Penrhyn's property at Festiniog, the only reason why chapel sites were not conveyed in fee was that there were restrictive covenants in Lord Penrhyn's settlement which prevented his doing so. For some mysterious reason this Bill ignores altogether the Lands Clauses Consolidation Act and other carefully-prepared provisions, and seeks to lump the whole thing into the hands of the County Court Judges; but no County Court Judge could go behind Lord Penrhyn's settlement. I quite agree that the sentimental feeling which underlies this idea is a most respectable one, and one which will have the sympathy of every man; but I am not prepared to concede that even the weight given to religious sentiment is sufficient, without the condition of public necessity which the House of Commons ought to require to be established, to justify embarking in legislation which will compulsorily deprive a man of his property. The comparison which has been made between the Church of England and Nonconformists is not a proper one. The theory of legislation in this country in the past has been that the Church of England embraces the great majority of the public, and that, therefore, to give compulsory powers to the Church of England is to supply a public want. Take, again, the past legislation in regard to schools. School Boards have been established in this country, and accordingly compulsory powers of purchase have been extended to them. When you come to the managers of elementary schools, who do not represent the population of that locality, you do not give the power of acquiring a site otherwise than by agreement. That is the distinction between the two. It is not very perfectly carried out; but that is the idea, that in order to vest anybody with the compulsory power of purchasing private property, you must make out that it represents the general public and not simply a section of the public, however interested and deserving of sympathy that section may be. That has been the principle which has pervaded our legislation. The necessity of relaxing that principle in the case of a railway arose from the fact that they dealt with a number of owners, and the dissent of any one might paralyse the whole scheme unless they had compulsory power. Therefore, I repeat, upon the general principle, that this is a case in which, whether compulsory powers ought to be granted or not, it seems to me the promoters of the Bill have not made out their case. Speaking for myself, and not on behalf of the Government, while I most sincerely sympathise with those Religious Bodies who are seeking to obtain a resting place for their feet in which they may worship after their own fashion, I feel that the interests of property are so affected that I must vote against the proposal in the present Bill. Speaking with the greatest possible respect for the hon. Member who introduced this particular legislation, I must say that anything more crude and unsatisfactory I have not seen, and I hope the hon. Member will take it back and re-consider it. The recommendation of the Town Holdings Committee is not what this Bill proposes. It is that when the freeholder has granted a lease for the erection of a place of worship there should then be power to convert that into a freehold. The Bill has not been limited to that. There is included in the Bill not only places of worship, but ministers' houses. I do not know if the representative of the Office of Works is present; but if a Dissenting minister takes a lease for a year of a villa in Regent's Park he may under this Bill go to the Office of Works and purchase it compulsorily. That is the way the Bill would work insidiously, and with several arms, because the art is all in the Definition Clause and in the unconsidered trifles of the Bill.

Mr. S. T. EVANS: These words go together, and they are words which are constantly used in deeds and other documents—

> "Places of worship or premises shall include any church, chapel, meeting house, manse, minister's house, held or enjoyed therewith."

Mr. MATTHEWS: I do not see the use of putting in all that verbiage. The hon. Member has drawn his Bill so loosely that he does not know what he has done. He has not said that the chapel or meeting house is to be held under the same lessor as the minister's house, but that they are to be enjoyed together. Therefore, I repeat that there may be a meeting house in Albany Street, the minister of which might hold a pleasant villa on Crown land in Regent's Park, and might enfranchise the whole on application to the County Court Judge of the district. A man lets a house to Mr. Jones. He does not know Mr. Jones; but it turns out that Mr. Jones is preaching in some chapel hard by, and thereupon the house becomes liable to enfranchisement. That is the clear effect of this Bill, and it is disrespectful to the House of Commons to ask it to consider so ill-drawn, so ill-considered, and so ill-defined a Bill as this. And, as if that were not sufficient, the Bill is retrospective, and is to affect all existing leases. The more one reads it, the more it appears full of pitfalls. It is not necessary that the lease, however short, should be in the freeholder. It may be in an intermediate owner. London is full of houses which are held upon building leases by leaseholders, and yet, under the circumstances I have mentioned, the freeholder is to have his house taken from him, although he has no knowledge of the fact. I do not know whether the hon. Member meant that. It is perfectly clear that even on the principles of the Town Holdings Committee nobody should be dispossessed who has not assented to the occupation. The hon. Member for Mid Glamorgan (Mr. S. T. Evans) knows as well as anybody the difficulties with respect to titles. There may be retrospective covenants of all kinds that bind the hands of occupiers. How are these difficulties to be met? The hon. Member, instead of taking the Lands Clauses Act, which deals with all these difficulties, selects the County Court Judge as the accessor of the value of the property. However learned lawyers the County Court Judges may be, I can hardly imagine anybody to whom I should be more unwilling to entrust the valuation of my property.

Mr. S. T. EVANS: The Government made the Judge of the County Court the accessor under the Tithe Act.

Mr. MATTHEWS: The County Court Judge was not made the assessor in any sense of the value of the property under the Tithe Act. He takes that from the Tithe Assessment Return, and what he has to do is to decide whether it is due or is paid. It has been denied in this Debate that places of worship ceased to be used for that purpose, but I have heard frequently of Nonconformist chapels being devoted to other purposes. Yet this Bill does not provide, as it ought to do, that the vendor who had sold under compulsion should have a right of pre-emption. Again, there is no hint in the Bill as to who is to pay the costs of litigation, but all the parties are to fight their own battle at their own expense. All these things detract from the usefulness of the Bill, which cannot be amended without being re-drafted. I shall, therefore, feel obliged to oppose the Second Reading.

*(4.20.) MR. G. OSBORNE MORGAN (Denbighshire, E.): I really am sorry for the right hon. Gentleman, as I am for any man who is obliged to say one thing while he thinks another. I think his impulses or natural instincts are preferable to the more laboured conclusion at which he has arrived "as a lawyer and a legislator." The case for the Bill is not quite the case of compulsory purchase of land. What the Bill provides is that when a lessor has already devoted land to religious purposes he should not be at liberty to withdraw it from those purposes. The Home Secretary said that before giving compulsory powers to anybody you must establish two things. First you must establish public utility, and, secondly, public necessity. I tried to understand what he meant by the test of public utility. As I understood him, if applied to England, it would probably involve the denial of a site for a Nonconformist chapel on the ground that the majority of the people belong to the Established Church, but that a different rule would apply to Ireland, because the great majority of the population are Roman Catholics. But has the right hon. Gentleman never heard of Wales? The case of Wales is peculiar, and it is one which is exactly met by this Bill. I am so satisfied that the Bill possesses the general approval of the Principality that I shall be very much surprised if any single Member for Wales goes into the Lobby against it. The case of Wales is peculiar for this reason, that the great majority of the people are Nonconformists, and nearly all the landlords in whom, of course, the powers of granting land for religious purposes are vested, are nearly all Churchmen. I could give the right hon. Gentleman many instances that would show the necessity for this Bill in Wales. With regard to the Report of the Town Holdings Committee respecting the Penrhyn estate, no doubt Lord Penrhyn was prevented, by the terms of his settlement, from giving grants of this kind in perpetuity. But we want to give him the power to do that which, I think, every landlord in Wales is, in simple justice, bound to do. I think the right hon. Gentleman was exceedingly hard on my hon. and learned Friend with regard to the drafting of the Bill. I do not think his comments were by any means justified. The right hon. Gentleman said the County Court was not the proper tribunal in a matter of this kind, but I would ask why was the County Court selected as the tribunal to which proceedings under the Tithe Rent Charge Act were to be taken? If the right hon. Gentleman looks again at the Bill he will see that it does not provide for the acquisition of a minister's house in the circumstances he assumed, because the words are "appertaining to the Church or held in connection therewith." If this Bill had been a purely Nonconformist Bill the hon. Gentleman who moved its rejection would naturally oppose it. But he is wrong in saying the Bill gives Nonconformists any exclusive privileges. It does nothing of the kind. The Bill applies to every religious body, and surely the hon. Member will not deny that the Church of England is a religious body. Going further, I assure the hon. Gentleman that this Bill is really wanted not only in the interest of Nonconformists but in the interest of the Church of England itself. I will give a case in point. Some years ago I had sittings at a chapel-of-ease in the West of London. The lease of that chapel came to an end, and the landlord refused to renew on the ground that the doctrines of the eloquent minister who occupied the pulpit were not orthodox. The result of the refusal to renew was that the whole congregation was scattered, and I lost the opportunity of listening to one of the most eloquent preachers it has ever been my fortune to hear. I thought, and still think, that was a very

hard case. The hon. Gentleman objected to the use of the words "religious bodies."

Mr. H. BYRON REED: I did not object to that term, but to the absence of a definition of it by the hon. Member opposite (Mr. S. T. Evans).

*Mr. G. OSBORNE MORGAN: The words "religious bodies" have constantly been used in Acts of Parliament, without any definition at all. The term has what I may call a statutory definition assigned to it. Moreover, the definition is not necessary in this Bill, because in every case the lessor has already, by granting the lease to them, recognised the lessees as the representatives of a particular religious body. It does not lie in the mouth of the hon. Gentleman to complain that he does not know what that religious body is. Then the hon. Gentleman went on to complain that County Courts were overworked. I very much doubt if that is the case. But what is the meaning in that case of throwing upon them the enormous burden which the Tithe Act entails? If this Bill scourges them with rods, the Tithe Act scourges them with scorpions. The burden thrown upon them by this Bill will not be a hundredth part of that thrown upon them by the Tithes Act. If it were conceivable that landlords will be deterred from granting leases, while I do not think many will follow that principle, I hope if they do, that it will be done just before a General Election; for if anything could make a man justly unpopular it would be an action of that kind. The Home Secretary asked what was the necessity for this Bill. My answer to that is the evidence taken before the Select Committee. The hon. Gentleman the Member for Harrow asserted that the Town Holdings Committee were not unanimous in approving the principle of the Bill. I do not agree with him.

Mr. AMBROSE: What I said was that they were not in favour of the general principle. They reported against it as far as they could.

*Mr. G. OSBORNE MORGAN: We have nothing to do with the general principle now. What I asserted was, first, that on this particular question the Committee were unanimous, and, secondly, that the Report was conclusive. This Bill is founded on the recommendations of that Committee on which there was a majority of Conservative Members. I support it not only in the interests of my constituents, with whom this is a burning question, but also on the general principles of justice, and I contend that hon. Members who oppose it in the interests of the Church of England will prove themselves the worst friends of that Church.

(4.33.) Colonel HUGHES (Woolwich): It has been said by several hon. Members that while they sympathise with the object aimed at in the Bill, there is so much fault to be found with the details of the measure that they cannot support the Motion for the Second Reading. I do not think that that is a good reason. I admit that many of the provisions of the Bill require considerable Amendment, but it is only a few. After all, it is only by means of expert assistance that a Bill can be drafted satisfactorily. I say that if hon. Members sympathise with its object they ought to vote for it, leaving the improvements in detail to be made in Committee. The principle is to enable Nonconformist and other religious bodies who hold leasehold places of worship to acquire the freehold. I do not think that the Bill goes beyond that; but I should desire to see some controlling authority instituted in order to secure that places are not taken on short terms with a view to the freehold being afterwards acquired compulsorily. There can be no doubt that hardship is suffered by the Nonconformist and other religious bodies, and I could quote a case which occurred in my own parish. In that place when there were 300 or 400 houses the Church of England kept aloof, so the Wesleyans came forward. They were unable to get a freehold site, and had to be content with a leasehold, and to pay a ground rent. Under the circumstances they only felt justified in putting up a temporary iron building, but immediately it was seen that they were prospering, the Church of England came in and soon got a freehold on reasonable terms, and not by compulsion, simply because they had an Act of Parliament at their back; why should this difference of treatment prevail? I contend that if as a question of public utility and benefit, places of worship should be encouraged, then the privileges hitherto enjoyed by the Church of England should be extended to other bodies, to the extent, at least, of enabling them to obtain freehold habitations for all properly-conducted religious establishments. It has been suggested that places used temporarily for purposes of religious work would come under the operation of this Bill. I hope not. For instance the Volunteer drill hall, in my own particular locality, is used on Sundays for religious services, and of course it is not intended that persons so using it should be able to acquire the freehold, that would be absurd. I recognise what is intended by the Bill and although there may be many mistakes in the drafting I shall support it because of the principle which it embodies. I hold we ought to encourage religious effort in every direction. We ought where we can to give these bodies a permanent habitation and home. There are many chapels which, when they get out of debt, will become the property of the landlord by reason of the expiry of the lease, and then they will have to be bought over again. That is not as it should be, and, therefore, I support the Bill, knowing that it may be amended, where necessary, in Committee.

(4.40.) MR. A. ELLIOT (Roxburgh): I should like to point out that the Bill not only deals with existing, but with future leases, and the effect of it in the case of future leases will be to hinder the landlord from granting the use of land for a temporary purpose. At present the landlord can, if it suits him, let to trustees of religious denominations; but if the Bill becomes law he will be unable to do so without protecting himself by the clauses of his lease, or the tenants will a few years later take him before the County Court Judge in order to compel him to part with the fee simple. The promoters of the Bill argue that its object is to facilitate the acquisition of land by religious denominations; but do they think that the measure will operate in that direction? I think, on the contrary, that it would throw a difficulty in the way of landlords using their land in the direction contemplated; it will cause the landlord to see that it will be to his own interest to keep the land under his own control. I agree with the hon. Member who last spoke, that all religious denominations should be treated on the same footing, and I see no reason why the privileges enjoyed by the Church of England should not be extended to other

Colonel Hughes

religious bodies. With regard to existing leases I have been astonished by the language of some hon. Members on the subject of the religious and sacred character which property acquires. I should like to ask whether it can be reasonably maintained that those who bargain for the use of land, say for 10 years, can claim to have a better right than other people to the land after the expiration of that period because they have used it for sacred purposes? To uphold such a doctrine is contrary to common sense. They have bargained for the use of the land for a certain term; they have obtained possession of it under specified conditions; and they are bound to return it to the owner at the end of that period. It is an entire misreading of the religious aspect of the case to suppose that because land has been used for particular purposes the tenants possess greater rights than they would under ordinary circumstances. We are told it would be terrible sacrilege if at the end of the tenancy the land were used for secular purposes. But the Bill does not contemplate following the land after it has once got into the hands of the trustees of a religious body, and so it may happen that after once land has been purchased for the purpose of erecting a chapel on it the site may become much more valuable, and the trustees might be induced to sell it at a large profit, and to re-erect their place of worship on a less expensive site. They would, in fact, only be acting as rational men in doing so, especially if by doing so they could secure a more commodious and convenient chapel. It is not merely a question of the uses to which the land may be put. I fully admit that if there are great difficulties in acquiring land in Wales as sites for buildings for religious purposes, compulsory powers ought to be given. I would not allow the Established Church to remain in possession of a privilege of that kind, which is denied to other denominations; but I object to the Bill because it is a bad Bill, and it is thoroughly inequitable to come between two persons who have made a bargain on certain terms and say that they should vary those terms. I say that this Bill will inevitably defeat its own object, and prevent religious denominations enjoying what is an extreme convenience to them—the temporary occupation of land.

*(4.46.) Sir H. VIVIAN (Swansea, District): It is refreshing to hear a Bill of this nature supported by hon. Gentlemen opposite; but it is the very opposite to hear it opposed from these Benches. The hon. Member for Roxburghshire appears to be oppressed by the idea that these chapels are built for temporary purposes. I see nothing in the Bill to warrant the assumption that its object is to enable land to be acquired for temporary purposes.

Mr. A. ELLIOT: The Bill deals not with the building of chapels, but the acquiring of land by trustees of religious bodies for temporary purposes.

*Sir H. VIVIAN: Surely the hon. Member can draw a distinction between land taken for temporary purposes or for the purpose of erecting a permanent chapel. A temporary chapel is a most exceptional thing. I know a vast number of chapels, and I do not remember a single instance of building a chapel for temporary purposes. It is true that both the Church of England and the Nonconformists do at times put up temporary structures; but in 99 cases out of 100 they are replaced by substantial buildings. Therefore, it is no argument at all to say the land may be required for temporary purposes only. The hon. Member talks of a bargain being a bargain, but the question is whether those who make the bargain are precisely in the same position. The landowner says that he will not part with the freehold of the land, and will only give a lease for a term of years, and the Nonconformist has to consider whether he will submit to the hard terms of the landowner or forego his good work. Therefore, I do not consider that the argument that a bargain is a bargain has any validity. The object of this Bill is to give the right of acquiring freehold sites for buildings for religious purposes to those who cannot otherwise acquire them. There are very large properties in my district, one 11 miles in extent, and if the landowner had set himself against giving any site for Nonconformist places of worship the large population on that property would have been in a very unfortunate position. What this Bill seeks is to do away with an injustice of that kind and to enable those who are desirous of spending their money in erecting places of public worship to have the power to acquire a freehold. I very much regret that the Home Secretary has followed the example of the hon. and gallant Member for Galway, of whose conduct he himself complained, and has left his seat, because I want to reply to some of the right hon. Gentleman's arguments. The right hon. Gentleman said that there was no justification for compulsory rights of purchase. Has it occurred to him that his speech showed that there is an absolute necessity for it. The right hon. Gentleman told the House of the terrible difficulty which the denomination to which he belongs has had in obtaining sites. Surely in such circumstances the right hon. Gentleman ought not to have argued that there is no justification for a Bill of this nature, and ought to be found in the same Lobby as the hon. Member for Glamorganshire. The right hon. Gentleman appeared to think that wherever land is taken by compulsory purchase it ought to be established that there is a necessity for taking it for some purpose of public utility. Well, is there any purpose of public utility greater than that of creating places of public worship? I say that the highest function we can perform is to create these places of worship. In my own district our population is increasing enormously. During the time I have had the honour of representing a constituency in Glamorganshire it has more than doubled. When I first represented the constituency the population was something like 300,000; I shall be very much surprised if it will not be found at this Census to be over 600,000. The power of church extension is excessively limited, and unless the people have the power of building their own places of worship the population will be irreligious, whereas in Wales we have one of the most religious populations in the world. That is entirely due to the efforts of the Nonconformists. It is necessary that they should have chapels, and is there any greater object of public utility than the building of places of worship? Therefore, if it is insisted that before you grant Parliamentary powers the question of public utility must be established, I think condition precedent can be easily proved. The right hon. Gentleman appeared to think that this was to some extent a question of the "extensiveness," as he called it, of a religious body. I do not agree with him; but may I point out that no religious body is likely to want to build a chapel unless it is really required. What limit of numbers could he possibly fix? The right hon. Gentleman also referred to the case of Ireland, and, comparing the Roman Catholic with the Protestant Church, said that no such Bill as this had ever been deemed necessary for that country. But it is no argument that because Ireland has been contented with the position of matters in that respect, and has felt no grievance therefrom, the powers we ask for should not be granted to the rest of the United Kingdom. The right hon. Gentleman next complained of the proposal to refer the question to the County Court, because he said no County Court had the power of tearing up a title. But what the promoters of the Bill desire is to grant some Court the power to give a title for the purposes of this measure. If Lord Penrhyn's settlements will not allow him to grant freehold sites for public worship he ought to have that power. It should be borne in mind that land is a fixed quantity, that population is continually increasing, and that it may lie in the power of one man to deny to those who desire them sites for places of worship. The right hon. Gentleman said the County Court ought not to be called upon to deal with questions of this kind. Well, I would suggest that in cases of dispute the matter might be referred to the County Councils for investigation, just as questions connected with land required for the construction of railways are inquired into by Select Committees of this House. The acquisition of a site must be a purely local question, and why should it not be referred to the local tribunal consisting of the representatives of the people? The right hon. Gentleman complained that the Bill was ill-drawn. He said that it was so ill-drawn as to be disrespectful to the House of Commons. I am bound to say I think that that is very strong language. But the right hon. Gentleman, although his Parliamentary experience has not been a long one, must perfectly well know the distinction between a Second Reading Debate and discussions in Committee. The greater portion of his speech was devoted to criticising small details, which, by a few words could easily be set right in Committee. I trust that the House, rising above all small Party considerations and prejudices in favour of the Established Church, will read the Bill a second time.

*(5.5.) MR. BARTLEY (Islington, N.): I wish to say a few words on this Bill. I was a Member of the Town Holdings Committee, and although I did not adopt the whole of the Report, I did approve of the particular clause which dealt with this subject, and I shall therefore vote for the Second Reading of this Bill. I am not a lawyer and cannot therefore say whether this Bill is properly drawn; but if it is not it can, no doubt, be amended in Committee. I take it that the principle of the Bill is that *bonâ fide* Dissenting Bodies shall have a right to purchase the freehold of the sites on which their chapels are built—I as a strong churchman support that. I object to the Church of England having powers in this respect if they are refused to Nonconformists; and as I do not like the idea of a Church of England being on a leasehold tenure, I understand a Nonconformist having the same sentiment. I believe that measures of this kind tend to implant religion more firmly on the land, and to remove jealousies. We want religion developed, and although we cannot all agree on one particular principle; it is only fair that one law should apply to the whole community. While supporting the Second Reading of this Bill, I do not pledge myself to the details.

*(5.8.) MR. STANLEY LEIGHTON (Shropshire, Oswestry): I regret to hear that the hon. Member who has just spoken intends to give his support to the Second Reading of this Bill, because I shall show that it is not drawn on the lines of the recommendation of the Select Committee. The hon. Member who in a very able speech moved the rejection of the Bill discussed the Report of the Select Committee on Town Holdings, and was contradicted in his assertions by the hon. Member for St. Pancras. Turning to the Report itself, I find that the Member for Bradford was right, and the Member for St. Pancras was wrong. The Committee contemplated that the land

acquired for religious purposes should not be converted to other uses, but this Bill contains no provision against such conversion. The framers of the Bill have overlooked the word "so" in the Report of the Committee. The Committee recommend on public grounds that all religious bodies should be enabled to secure the freehold of the land on which their places of worship are built with a view to the land continuing to be *so* used. Therefore it was intended that land originally leased for religious purposes should, if the freehold is acquired compulsorily, continue to be so used, but this Bill does not in any way secure that. When the matter was under discussion before the Committee an Amendment was proposed securing to the original owner the right of repurchase in the event of the land ceasing to be used for religious purposes. I observe the established denominations of this Kingdom are asking for more endowment and more establishment. The fact should not be overlooked. They are already privileged, acknowledged, established. They desire more State privileges. I do not wish to oppose their wishes, but it should be remembered that there is nothing of a permanent nature in a great number of the religious bodies that spring up. They often only last for a few years. These different sects are constantly changing their local habitation, and if this Bill were to become law it might create inconvenience. For instance, a friend of mine owns land upon which a Wesleyan chapel has been erected under a lease granted by his predecessor. The lease was put up to auction; the intending purchaser desired to use it as a beershop! If this Bill were to become law similar cases would often arise. The hon. Member for St. Pancras said there were no less than 48 religious bodies who have moved their sites within a very short time in the Metropolis alone. They are always moving from one site to another. Supporters of the Bill ought to define what they mean by religious bodies.

*Mr. LAWSON: The sects were driven from their chapels. The chapels were either pulled down or put to other purposes.

*Mr. STANLEY LEIGHTON: What security is there under this Bill that they would not be pulled down, and the land on which they are built put to other purposes? It would be well if the hon. Member would turn his attention to a definition of religious denominations. No definition has been attempted. In *Whittaker* I see there are the Glory Band, the Nazarenes, the Secularists, the Church of Progress, the Deith-Hainediesh-Misnah Society amongst 250 others. Are they all religious societies which would come under this Bill? Where are we to draw the line? Any Member of this House may start a religious society in order to acquire the freehold of his present leasehold estate. Therefore, although I am quite prepared to support security of tenure to religious bodies, I am not prepared to support the Bill.

*(5.19.) Mr. H. H. FOWLER (Wolverhampton, E.): The hon. Member (Mr. Leighton) in the early part of his speech expressed himself in favour of the principle of the Bill, only taking exception to the details. But in the latter part of his speech the old leaven of animosity against Nonconformity could not help breaking out, and it broke out in the form to which we are accustomed. The hon. Member attempted to throw ridicule on his fellow-citizens, who, I think have the cause of religion just as much at heart as the hon. Gentleman. I exceedingly regret the Home Secretary who was put up to represent the Government this afternoon is not present. The right hon. Gentleman took exception to the principle of the Bill, and also to the details. I give up the details at once. I think they want re-consideration and amendment; but it is a perfectly new doctrine that you are to vote against the principle of a Bill on the Second Reading, because you do not approve of the details by which that principle is established. The hon. Member for Roxburghshire (Mr. A. Elliot) said that some Nonconformist Bodies are in the habit of taking land and using it for a place of worship for 5 or 10 years only. The Bill is not intended to meet such a case. What it is intended to meet is a case where Nonconformists have taken a lease of a piece of land, have, upon the strength of that lease made a large expenditure of money raised by voluntary subscription. We say, that at the expiration of the lease the body should not be dispossessed from their place of worship. There is no

proposal in the Bill for confiscation; there is no proposal to take from the landlord one atom of the property that belongs to him. On the contrary, there is a provision that the landlord shall be paid to the last penny the full value of the land. The Home Secretary is opposed to the principle. He had a number of eggs to dance over, and he danced over them with his accustomed dexterity. That blessed word compulsion is not a word that is in favour on the other side of the House. But there is legislation on the Statute Book which the hon. Member for Wigan (Mr. F. S. Powell) is exceedingly anxious to get off the Statute Book. There is legislation giving the Church of England compulsory powers to buy land for the purpose of churches, burial grounds, and parsonages with ten acres of ground in addition. The supporters of this Bill want Nonconformists to be placed on the same level. The Home Secretary, however, appears to argue that though it is desirable to give compulsory powers for the acquirement of land for churches, it is not desirable to grant similar powers for chapels. The other day the centenary of John Wesley's death was celebrated in the chapel he built on leasehold ground in the City Road. The Wesleyans had to pay to the Ecclesiastical Commissioners £10,000 on the expiration of the lease. Suppose the Ecclesiastical Commissioners had said, "We will not grant you a renewal of the lease, no matter what the associations of the chapel are to you." According to the Home Secretary that would be a legitimate exercise of the rights of property. There are rights of property which ought to be interfered with, and which hon. Gentlemen opposite, when they go to their constituents will advocate being interfered with. I do not pledge myself to the details of the Bill, but I am going into the Lobby with my hon. Friend (Mr. S. T. Evans).

*(5.26.) MR. F. S. POWELL (Wigan): It is an entire mistake to suppose that the Church of England has, for any practical purposes, the power to acquire land compulsorily. In the early part of this century the House granted a large sum of money for the building of churches, and very naturally accompanied the grant with compulsory power to purchase. But the power has only been exercised on one occasion, and that was in 1820. So cumbrous is the procedure, and so difficult is the Act to work, that the power is not a real operative power, and will, I trust, soon be abolished.

(5.28.) MR. HENEAGE (Great Grimsby): I heartily support the Bill, because I believe its principle to be perfectly fair and equitable, though I agree with the right hon. Gentleman the Member for Wolverhampton that the details will have to be very fully considered in Committee.

MR. LEES KNOWLES (Salford, W.): May I ask whether the promoters of the Bill would be prepared to insert in Committee a clause giving a right of pre-emption in cases where the building ceases to be used for religious purposes?

MR. S. T. EVANS: Certainly.

(5.29.) The House divided:—Ayes 218; Noes 110.—(Div. List, No. 148.)

Main Question put, and agreed to.

Bill read a second time, and committed for To-morrow.

ANCIENT MONUMENTS PROTECTION ACT (1882) AMENDMENT BILL.

(No. 254.)

Bill read a second time, and committed for Wednesday next.

LONDON (CITY) TRIAL OF CIVIL CAUSES BILL.—(No. 269.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again To-morrow.

RETURNING OFFICERS (SCOTLAND) BILL.—(No. 36.)

Considered in Committee, and reported; as amended, to be printed [Bill 290]; re-committed for Friday.

PUBLIC PETITIONS COMMITTEE.

Eleventh Report brought up, and read; to lie upon the Table, and to be printed.

House adjourned at ten minutes before Six o'clock.

by Contract with H.M.'s Government. An Asterisk at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS,

Thursday, 23rd April, 1891.

LORD AUCKLAND.

Report made from the Lord Chancellor, that the right of William Morton Eden Baron Auckland to vote at the elections of Representative Peers for Ireland has been established to the satisfaction of the Lord Chanchellor; read, and ordered to lie on the Table.

The Earl of Lonsdale—Took the oath.

THE PORTUGUESE AGGRESSION ON THE PUNGWÉ.

QUESTION—OBSERVATIONS.

The Earl of KIMBERLEY: My Lords, I desire to ask the noble Marquess at the head of the Government a question, of which I have given him private notice. It is, whether the noble Marquess is in a position to give any information to the House as to the reported seizure of British vessels by the Portuguese on the Pungwé, and the imprisonment of British subjects, and as to any steps which the Government may have thought proper to take in the matter?

The PRIME MINISTER and SECRETARY of STATE for FOREIGN AFFAIRS (The Marquess of Salisbury): As is always the case on these occasions there is a considerable difference in the reports of details, as they come from the English or the Portuguese side; but I am afraid there is no doubt that a most unjustifiable attack has been made upon a British expedition under Sir John Willoughby. The precise amount of force used, or of indignity that has been inflicted upon them I am not yet in a position to state, but there is no doubt that the members of that expedition have been treated in a manner which is not consistent with the engagements which Portugal has entered into, and of which we have very grave right to complain. We did at once complain, and urged upon Portugal the necessity of complying without delay with that promise contained in the *modus vivendi* which bound her to give permission and facilities for passing over the Pungwé and the land ways that lead from it to the interior. I was glad to receive from the Minister of Portugal yesterday an intimation from his Government that they had sent orders to remove every obstacle to the passage of peaceable travellers up the waters of the Pungwé, and from thence into the interior, so that if that undertaking is fulfilled we shall have, as regards the future, nothing in that respect to complain of. But the demeanour of the Portuguese officials on the East Coast of Africa has on more than one occasion corresponded so little with the assurances we had received from Lisbon that we have thought it desirable to request that three of Her Majesty's vessels should proceed to the Pungwé as speedily as possible. They will not be large vessels, but they will be adequate for the purpose. I should say that the Portuguese Minister also proposed that we should place a Consular Agent of some kind at the mouth of the Pungwé, in order to see that our requirements in respect of the *modus vivendi* were complied with, and to furnish authentic information. It is a measure which undoubtedly ought to have been taken at a considerably earlier period during the currency of the *modus vivendi*, which has now only three or four weeks to run, but that suggestion appears to me to be reasonable, and I have hopes that we may be able to do so, at all events intermediately and provisionally, by detailing some naval officer for the purpose. I would not speak too exactly as to the precise steps which will be taken; but there is every probability that the Portuguese and English Governments will be agreed upon that measure. I hope, therefore, that for the future there will be no further reason to complain with respect to the passage of the Pungwé. Questions which may further arise as to any reparation that may be properly required, I should prefer to reserve until we have a full and detailed account of the real events in the Despatches.

NEWFOUNDLAND FISHERIES BILL.
(No. 76.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF DUNRAVEN: My Lords, before the Motion for the Second Reading of this Bill is made, I wish to present a Petition from the Legislature of Newfoundland praying to be heard against the Bill by one of the hon. Members of the delegation who have been intrusted with the Petition. With your Lordships' permission I will read the Petition:—

"We, the Legislative Council of the House of Assembly of Newfoundland, beg leave to approach your honourable Parliament and to appeal for your protection and support under circumstances which have filled the minds of all classes of this country with profound anxiety and dismay.

"Your honourable House may be aware that the old-time difficulties, consequent upon the Treaties of Great Britain and France on the subject of the Newfoundland Fisheries, have of late years assumed an unaccustomed gravity producing a painful and ceaseless agitation among our people.

"Two delegates have proceeded from this country during the last year to represent to Her Majesty's Government the exorbitant claims of the French under the alleged sanction of the Treaties referred to, and, further, to point out the injustice wrought upon the natives of Newfoundland. Their efforts for redress have been so far unsuccessful, and we are now confronted with a new evil essentially more intolerable than any of those with which experience has rendered us so familiar. We refer to the proposal of Her Majesty's Government by the Bill now before your honourable Parliament to re-enact the Act of George IV., cap. 51, for the better conduct of Treaties between Great Britain and France respecting the Newfoundland fisheries, which Act expired in 1834.

"This Act embodied provisions of an arbitrary and oppressive character, wholly repugnant to those principles of liberty and justice which are held to be the basis of modern British legislation. They conferred upon the officers of Her Majesty's ships the duties of a protective service and intrusted them with the settlement of Treaty disputes, with powers of summary adjudication independent of all those restrictions and safeguards which British law has devised for the defence of the inherent rights of British subjects. These powers extended to the most severe penal inflictions, and were beyond all appeal, and when it is remembered that they were exercised by persons unacquainted with legal procedure, whose peculiar training and habits of thought and action were dictated by an unquestioning submission to decrees, it must be manifest that extreme hardship and injustice were the frequent inevitable results.

"It may be alleged that while the Act in question was yet upon the Statute Book it had been allowed to lapse into comparative desuetude, so incompatible with modern civilisation would have been the application of this barbarous law. Unhappily, the record of the years 1877, 1888, and 1889 gives instances of its enforcement, under assumed authority, with disastrous consequences to the property and industry of some of Her Majesty's subjects engaged in the fisheries of Newfoundland. We submit that this law cannot possibly be rendered applicable to the circumstances which it is designed to meet. All the social and general conditions of Newfoundland, particularly of those parts of the coast affected by International Treaties, have undergone a radical and complete change in the many years that have elapsed since the law was under consideration. There was then no resident population in those localities, which have been long since settled in considerable numbers; while trade from various sources of employment has become developed and yields its contributions to the Customs revenue.

"Several years ago Her Majesty's Government confirmed the occupation of the coasts by acceding to the desire of the residents for representation in the House of Assembly and for the appointment of Magistrates and police. They are periodically visited by the Supreme Court of Circuit; they have regular communication with the rest of the country and with Canada by mail and passenger steamers. In a word, they have all the ordinary institutions of civil life. The permanence of their position being thus conclusively assured and recognised, it can hardly be necessary to point out with what cruel severity and with what destructive effect the proposed law will operate upon the trade and industries and upon every other appreciable interest of this section.

"The loyal inhabitants of this whole dependency of the British Crown would, therefore, most earnestly implore your honourable House, by all its honoured and revered traditions, to desist from inflicting upon the people of this country the calamity of such an enactment as that now under contemplation.

"We would remind your honourable House that Her Majesty's Government and France lately agreed upon arbitration respecting the Newfoundland fisheries, such tribunal proposing to deal with one question only—the recent question of the lobster fishery. This partial proceeding has been decided upon, not only without reference to the Newfoundland Government, but against their emphatic protest. We on the part of the colony, beg to present an equally emphatic protest against the course adopted in direct violation of the principles of that constitutional form of government which it is our privilege to possess.

"We would, in conclusion, respectfully invoke the aid of your honourable House for the protection of the Treaty rights of Newfoundland against the demand of the French for exclusive fishery, including lobster fishing, on those portions of the coast where they hold acknowledged privileges. The rights of British subjects have on several occasions been declared and the pretentions of the French disallowed by some of the ablest statesmen of Great Britain, notably Lord Palmerston, and only last year by the Marquess of Salisbury. We feel that your honourable House will recognise the justice of our prayer, and that the definitions of those high authorities shall not continue to be mere theoretic pronouncements which France is permitted to contravene; but that they shall be carried out in their true significance to their full practical effect.

"We beg to inform your honourable House that we have appointed the Hon. Sir William Whiteway, Augustus W. Harvey, Moses Monroe, George H. Emerson, and Alfred B. Morine a delegation to present this remonstrance; and we pray that they may be heard at the Bar of your honourable House."

My Lords, having presented the Petition, I rise now, with your Lordships' permission, to move that the prayer of the Petition be complied with. I shall not, in justification of my Motion, say anything which could possibly prejudge the case, nor in any way go into the merits of the case; but I wish to point out that if your Lordships are pleased to accede to my Motion, you will be amply borne out by precedents. In 1838 Mr. Roebuck was heard at the Bar of this House against a Bill dealing with Lower Canada. In 1839 a representative was heard against a Bill affecting Jamaica; and in 1842 the House of Assembly of Newfoundland was heard by counsel at the Bar of this House against a Newfoundland Bill. In all those cases the Petition to be heard was granted, and I venture to think that in no instance was the case so strong as that involved in the Petition which is on the Table of your Lordships' House. In the case of Jamaica the difficulty arose out of extraordinary circumstances connected with the emancipation of the slaves; in the other two cases I have mentioned the machinery of partial self-government had come to a complete deadlock. But in the present case, the Colony of Newfoundland possesses full legislative powers and the full machinery of government. In all other and ordinary respects the machinery works perfectly smoothly, but in this one particular they protested most vigorously against legislation on the part of the Imperial Government on the matter set forth in this Petition. The Petition sets forth—whether rightly or wrongly of course I express no opinion whatever—that in the view of the petitioners the legislation involved in the Bill before your Lordships' House is subversive of their constitutional rights, is incompatible with the principles of liberty and justice, and would inflict great and grievous hardship upon numbers of our fellow-subjects and fellow-countrymen in Newfoundland. That in itself is a very weighty matter. I cannot conceive any allegations of a more weighty and more important kind than those embodied in this Petition, and if anything can add additional weight to them it is added in regarding the source from which the Petition springs. In all the precedents I have mentioned, the colonies, although enjoying Representative Institutions, were more or less directly administered by the Colonial Office, and were, therefore, more or less directly under the control of the Government here. But in this case the colony enjoys full legislative powers, and is in possession of all the responsibilities of responsible government. I do not mean to say that in the other cases the position of the colonies concerned was any reason whatever why their grievances should not have been heard; but the case here is different, and I submit that a Petition of this kind coming from a colony of the *status* of Newfoundland, therefore, requires, if possible, our greater attention. The Petition has been intrusted to a very influential deputation, representing all shades of political opinion in the colony, comprising the present Prime Minister, the Leader of the Opposition, the Speaker of the House of Assembly, and other prominent Members of the Legislature; and, with these facts before us, I do not think it is in the least necessary for me to enlarge upon the desirability of granting the prayer of the Petition. I feel confident that on account of the colony your Lordships will be glad that its people should have every opportunity of expressing their opinions on a matter about which they feel so very deeply. And I think also on account of this House, your Lordships, whatever action you may take in a matter involving such complicated and difficult questions, your Lordships would wish that the House should be put in possession of all the facts and all the arguments in the case. My Lords, I beg to move that the prayer of the Petition be complied with, and that Sir William Whiteway, Prime

Minister and Attorney General of the colony, be now heard at the Bar.

Petition ordered to lie on the Table.

Moved, That Sir William Vallance Whiteway, K.C.M.G., one of the delegates, be heard at the Bar in compliance with the prayer of the said Petition (The Lord Kenry [*E. Dunraven and Mount-Earl.*])

*THE SECRETARY OF STATE FOR THE COLONIES (Lord KNUTSFORD): My Lords, I do not propose on this occasion to make—nor do I think your Lordships would desire that I should do so—any remarks in reply to the speech of the noble Earl. I have only to say, on behalf of Her Majesty's Government, that we have readily assented to this Motion, the decision whether it should be granted or not resting with the House.

On Question, agreed to.

The delegates called in.

Sir WILLIAM V. WHITEWAY: May it please your Lordships,—On behalf of the Legislature of Newfoundland, I beg to express deep gratitude for the great privilege which has been conceded to its delegates by your Lordships in permitting us to appear at the Bar of this most noble and august Assembly to express the Legislature's objections to the Bill entitled—

> "An Act to revise certain sections of an Act of the fifth year of the reign of George IV., chapter 51, for the purpose of carrying into effect engagements with France respecting fisheries of Newfoundland."

I shall endeavour, my Lords, to express those objections as concisely as possible. It will not be necessary to tire your Lordships by reading those portions of the Treaties and Declarations which refer to Newfoundland, with all of which you are already familiar; and I will therefore content myself with saying that the 13th Article of the Treaty of Utrecht (1713) was revived by the 5th Article of the Treaty of Paris (1763), and that the Treaty of Versailles (1783) again restored the fishery rights of the French to their position under the Treaty of Utrecht. The Treaty of Paris (1814) restored matters to the *status* they were in in 1792, under the Treaty of Versailles, and in 1815 the third Treaty of Paris confirmed the Treaty made in the previous year. Your Lordships' attention is particularly drawn to the 6th Article of the Treaty of Paris (1763), to the 4th Article of the Treaty of Versailles (1783), and to the Declarations which accompanied the latter Treaty. With your Lordships' permission I will proceed to give a concise history of the legislation upon this subject. A brief history of the legislation in connection with the Treaties and Declarations will be found, I submit, instructive and significant when the arguments which I shall venture to adduce presently come to be considered. It is a remarkable fact that for 75 years—from 1713 to 1788—no legislation seems to have taken place with reference to the execution of the Treaties of Utrecht, Paris, or Versailles. The first Act upon the subject was passed in July, 1788, five years after the Treaty of Versailles was signed. It first set forth the engagements made by the Treaties and Declarations accompanying the Treaty of Versailles, and then enacted as follows:—

> "Section I.—It shall and may be lawful for His Majesty, his heirs and successors, by advice of Council, from time to time to give such orders and instructions to the Governor of Newfoundland, or to any officer or officers on that station, as he or they shall deem proper and necessary to fulfil the purposes of the definitive Treaty and Declaration aforesaid; and, if it shall be necessary to that end, to give orders and instructions to the Governor, or other officer or officers aforesaid, to remove or cause to be removed any stages, flakes, train vats, or other works whatever, for the purpose of carrying on fishery, erected by His Majesty's subjects on that part of the coast of Newfoundland which lies between Cape St. John passing to the north, and descending by the western coast of the said island to the place called Cape Rage, and also all ships, vessels, and boats belonging to His Majesty's subjects which shall be found within the limits aforesaid; and also, in case of refusal to depart from within the limits aforesaid, to compel any of His Majesty's subjects to depart from thence, any law, custom, or usage to the contrary notwithstanding.
>
> "Section II.—And be it further enacted by the authority aforesaid, that if any person or persons shall refuse, upon requisition made by the Governor, or any officer or officers acting under him, in pursuance of His Majesty's orders or instructions as aforesaid, to depart from within the limits aforesaid, or otherwise to conform to such requisition and directions as such

> Governor or other officer as aforesaid shall make or give for the purposes aforesaid, every such person or persons so refusing, or otherwise offending against the same, shall forfeit the sum of £200, to be recovered in the Court of Session or Court of Vice Admiralty in the said island of Newfoundland, or by bill, plaint, or information in any of His Majesty's Courts of Record at Westminster; one moiety of such penalty to belong to His Majesty, his heirs and successors, and the other moiety to such person or persons as shall sue or prosecute for the same; provided always that every such suit or prosecution, if the same is commenced in Newfoundland, shall be commenced within three months, and if commenced in any of His Majesty's Courts of Record at Westminster, within 12 months, from the time of the commission of such offence."

Now, my Lords, war terminated the Treaty of Versailles; and though the Treaty of Paris (1814) restored to France

> "the colonies, fisheries, and factories of every kind which were possessed by France on the 1st of January, 1792,

it does not appear to have been considered that this Treaty revived the Act above quoted, for in 1824 an Act entitled

> "An Act to repeal several laws relating to the fisheries carried on upon the banks and shores of Newfoundland, and to make provision for the better conduct of the fisheries for five years, and from thence to the end of the then next Session of Parliament,"

contained two sections, 12 and 13, which were almost literally the same as those which I have just read; and these two sections it is proposed to re-enact by the Bill now before your Lordships. An Act was passed in 1829 to continue the Act 5 George IV., chapter 51, which I have last referred to, until the 31st of December, 1832; and in 1832 the Act 5 George IV., chapter 51, was further extended until 1834, "and no longer." Here I beg to draw your Lordships' particular attention to the fact that that Act which I have just mentioned, the continuing Act enacted that the Act so prolonged should continue until a certain time "and no longer." In 1832 a Legislature was granted to Newfoundland, its first Assembly taking place in 1833; and Parliament did not in 1834 further continue in force the law enacted in 1824, leaving to the Legislature of the colony the task of passing laws and enforcing regulations to carry out the Treaties and Declarations. The Legislature of the colony did not, however, assume this duty, nor does it appear by the records that its attention was ever called to the matter. The fact remains, however, that in 1834 the last Act of Parliament in this connection expired by virtue of one of its own provisions, and that from that year until the present time no legal authority has existed for the enforcement of Her Majesty's instructions to naval Commanders upon the coast of Newfoundland. It is now proposed to re-enact the provisions of the Act 5 George IV., chapter 51, and to give them an application in a manner never before suggested. The Act now before your Lordships' House contains the following clauses:—

> "1.—(1) The enactments set out in the schedule to this Act shall be revived and have full effect, and the Treaty or Treaties therein named shall include not only the Newfoundland fishery engagements, but also any temporary arrangement made with France either before or after the passing of this Act for adjusting the differences arising out of those engagements.
>
> "(2) If any permanent arrangement is made between the United Kingdom and France with respect to the differences which have arisen upon the Newfoundland fishery engagements, it shall be lawful for Her Majesty, by Order in Council, to direct that the enactments hereby revived shall apply, and the same apply accordingly, as if such permanent arrangement were a Treaty mentioned in the said enactments.
>
> "(3) Provided that before such Order is made the draft thereof shall have been communicated to the Government of Newfoundland, and lain on the Table of both Houses Parliament for not less than one month.
>
> "2.—Where Her Majesty the Queen in Council is satisfied that, by any law made before or after the passing of this Act by the Legislature of Newfoundland, sufficient provision is made for carrying into effect, under Her Majesty's orders and instructions, the Newfoundland fishery engagements, or any such arrangement as above in this Act mentioned, it shall be lawful for Her Majesty in Council to suspend the operation of this Act, or any part thereof, so long as such law continues in force, and no longer, and to direct that such law or any part thereof shall have effect with or without modifications and alterations as if it were part of this Act, and any Order in Council so made shall have full effect."

Now, my Lords, having thus briefly stated the provisions of the Treaties and Declarations, and the history of the legislation connected with this subject, I will proceed to state our objections to this Bill, and we humbly beg to solicit your attention to the objections which the colony entertains to the Bill now proposed. First, we object to the passage of the Bill now before your Lordships because it was introduced into Parliament before the Government, the Legislature, or the people of Newfoundland had an opportunity to accept or oppose it, or to suggest its amendment. This is opposed to the principles of responsible government granted to the colony, and in direct opposition, as we conceive, to the assurance given to the colony in 1857, when the right hon. the Secretary of State sent the following Despatch to the Government of Newfoundland announcing the abandonment of a proposed Convention, with which your Lordships are familiar, with France :—

> "Downing Street, March 26, 1857.
>
> "Sir,—When Her Majesty's Government entered into the Convention with that of France, they did so in the hope of bringing to a satisfactory arrangement the many complicated and difficult questions which have arisen between the two countries on the subject of the Newfoundland fisheries. But they did so with the full intention of adhering to two principles which have guided them, and will continue to guide them, namely, that the rights at present enjoyed by the community of Newfoundland are not to be ceded or exchanged without their assent, and that the constitutional mode of submitting measures for that assent is by laying them before the Colonial Legislature.
>
> "For this reason they pursued the same form of proceeding which had been before pursued in the case of the Reciprocity Convention with the United States, and which was in that case adopted and acted upon by the Newfoundland Legislature. It was in perfect uniformity with the same precedent that it appeared necessary in the present instance to add a condition respecting Parliamentary enactment, in order that, if necessary, any existing obstacles to the arrangement in the series of Imperial statutes might be subsequently removed.
>
> "The proposals contained in the Convention having been now unequivocally refused by the colony, they will, of course, fall to the ground. And you are authorised to give such assurance as you may think proper that the consent of the community of Newfoundland is regarded by Her Majesty's Government as the essential preliminary to any modification of their territorial or maritime rights.
>
> "I have, &c.,
>
> "H. LABOUCHERE.
>
> "To Governor Darling, &c., Newfoundland."

Neither the present Act nor any other specific Act has ever been submitted to the Colonial Government or Legislature for definite acceptance, rejection, or amendment. Information that this Act would be introduced was not given to the Government of the colony till the 17th day of March last, nor to the Legislature till the 18th day of the same month, though the British Government determined in the middle of January to procure its enactment, and transmitted a Despatch to Governor O'Brien on the 19th of that month, giving information in regard to this Bill, which must have been received by him before the middle of February, but was not submitted to the Government of the colony until the date above mentioned. Knowledge of the introduction of the Act into Parliament on March 19 last was first received by the Government and Legislature of the colony on the same day by means of telegrams from private persons, and repeated applications by the Legislature to the British Government for a copy of the text of the Bill failed to procure it prior to our departure from the colony. If this Bill had, before its introduction, been submitted to the Government and Legislature of the colony, with an intimation of the British Government's intention to procure its enactment by Parliament, I have no doubt but that such arrangements might have been made as would have prevented the present unpleasant condition of affairs. We respectfully submit that the power of legislation on all matters concerning the territory within the jurisdiction of the colony is vested in the local Legislature, subject, of course, to Her Majesty's assent; and, although we do not pretend to contend that power to legislate for the colony does not reside in the Imperial Parliament, we most humbly urge that it is a power which should not be exercised before the local Legislature has most clearly and distinctly refused to enact laws adequately meeting the necessities of the case, and then only in cases of extreme emergency. By Clause 1 of this Bill it is provided that—

> "Any temporary arrangement made with France either before or after the passing of this Act"

is enforceable as though it were a Treaty. I would draw your Lordships' attention to those words referring to "any arrangement made before or after the passing of this Act." And, by Clause 2—

> "Any permanent arrangements" with France "with respect to the differences which have arisen upon the Newfoundland fishery engagements"

are also enforceable as though they were Treaties. To us it appears that these provisions are intended to legalise the *modus vivendi* made with France in 1890, as well as its renewal this year, and, therefore, that it is retroactive legislation, calculated to injuriously affect suitors claiming damages for losses sustained in 1890 in consequence of the operation of that *modus vivendi ;* and we submit that this is an interference with a right of the subject which ought not to be, and will not be, permitted by your Lordships. But a far more serious danger, and a far greater infringement of constitutional right than this, appears to be contemplated by the provisions legalising future arrangements. As we interpret the Act, the Government would have power, were it enacted to cede to France the most valued rights of the colony without the colony's consent, and in spite, indeed, of its most earnest protests. Nay, more, the Imperial Parliament itself seems by the terms of the Bill to be virtually deprived of a constitutional check which it has exercised at all times. It is proposed by the Bill that when any permanent arrangement with France has been made it shall be lawful for Her Majesty to enforce it by Order in Council; and, although it is provided that such Order must be

> "Communicated to the Government of Newfoundland and laid on the Table of both Houses of the Imperial Parliament for a period of not less than one month,"

no effective means of protest and no power of rejection is secured to the colony while the mere omission of the Imperial Parliament to express its disapproval of the Order in Council would for ever fasten upon the colony the burden of any arrangement which might be made. The Legislature of the colony is appalled at the danger with which it is thus menaced. Arrangements proposed in the past have caused it to fear undue concession of the rights of the colony to France, and it is feared that it is now intended to impose upon the colony an arrangement to which it would not willingly consent. Whether this be the intention or not, the Bill now before your Lordships evidently confers power to do so, and is, therefore, a menace to that right of prior consent promised to the colony by the British Government in 1857. The people of the island may at any moment find themselves hampered by arrangements which may prove ruinous to their interests, without any opportunity to prevent them; and we beg, further, to remind your Lordships that Conventions were made in 1857 and in 1884-5, which provided for concessions to the French, which, if carried out, would have been attended with the most disastrous results to the fishing interests of the colony. What has occurred we say may occur again, and the Bill now before your Lordships provides the opportunity of making such arrangements permanent. It is, indeed, provided that the Legislature of the colony may enact legislation to take the place of the present Bill; but this Bill is not to be suspended until the local Legislature confers upon Her Majesty in Council the precise powers she would have under this Bill, and this provision is therefore but an illusory concession, meaning only that the burden of an Act of this Parliament can only be removed by enacting a similar Act in the colonial Legislature. In referring to the arrangement of 1884-85, the right hon. the First Lord of the Treasury has publicly stated that it was at first accepted by the Government and Legislature of Newfoundland and afterwards rejected. In this the right hon. Gentleman was misinformed. The Government of the colony refused at the outset to do more than submit the arrangement to the Legislature after certain Amendments were made, and the Legislature was not consulted in any manner at that time. Before the proposed Amendments were agreed to a new Administration had come into Office; and in the Session of 1886 the concluded arrangement was first submitted to the Legislature, which referred it to a Joint Select Committee of both Houses, which considered the matter for two Sessions, and ultimately the arrangement was unanimously rejected. We may be allowed, in reply to a statement that the colonial Legislature acted unreasonably in rejecting the Convention, to call attention to a very significant fact. Sir George William Des Vœux, now Governor of Hong Kong, was sent to Newfoundland to induce the Legislature to adopt the Convention. Within a few months of his arrival he expressed his views on the subject, in a Despatch to the Colonial Office, in the following forcible language :—

> "Now that I fully comprehend the present position of the colony, it is to me no longer a matter of wonder that the Legislature has hitherto failed to ratify the proposed 'arrangement' with France ; indeed, I can scarcely conceive it possible that this arrangement will ever be accepted so long as the bait clause remains in it, and no security is taken that the export bounties will not be maintained in their present footing. For though all the other Articles have the appearance of concession on the part of the French, and some are no doubt substantial concessions, they are all immeasurably outweighed by the single concession required on the part of this colony. For if there were granted to the French an inalienable right to procure bait here, the future, not only of the coast where they already have fishing rights, but of the whole colony, would practically be placed within the control of their Government."

I think, my Lords, we cannot find more conclusive evidence of the wisdom of the Legislature of Newfoundland in rejecting the proposed arrangement of 1884-5 than is contained in this Despatch of Sir George William Des Vœux, who went there, intending to urge that the arrangement be accepted, and then, having been converted to the views of the colony, addressed the Home Office in such strong terms. Secondly, my Lords, we object to this Act because it is modelled after an Act passed at a period when the colony had no Legislature of its own, and when there was but a small population upon the coast directly affected, whereas the colony has had a Legislature for over half a century, and the Treaty shore is now settled from end to end. The colony was granted a Legislature in 1832, and settlement upon the Treaty shore has been permitted by the British Government for many years past. With their consent grants of land, subject to French Treaty rights, have been given, and the land has been settled upon and improved ; with their consent, representation in the Legislature has been granted to the settlers, Magistrates and Customs officers have been appointed upon the coast, telegraphic, steam, and mail communication have been established, taxes are collected, and public money expended. In face of this great alteration in the whole condition of affairs, it should be impossible to re-enact a law first made over a century ago, and which would make it possible for naval officers to render valueless every iota of property on the land or in the waters of the Treaty shore—the property, not alone of the thousands who dwell there, but also of the other thousands who annually visit and fish there—for no provision of any kind is made in the proposed Act for compensating persons whose property may be in any way affected ; and under this Bill power would be vested in the Governor of Newfoundland, or any officer on the station, on his mere volition arbitrarily to remove a British subject and his property from the Treaty coast, and to leave him absolutely divested of any redress or compensation whatever. In the face of these facts, we submit it would be a terrible injustice to British subjects to give the power to naval officers which is contemplated and given by this Bill. Should this Bill become law, it must necessarily have the effect of preventing capital from being invested for the development of the minerals, of agricultural and lumbering resources, on one-half of the island of Newfoundland. This part must ever remain a wilderness, for with the possibility of establishments being removed at any moment, on the mere volition of one man, surely persons will not be found to risk their capital in so uncertain and precarious a venture. If this Bill becomes law, and British people can be removed from British soil at the will of a naval officer, we humbly submit that, so far as this part of the island is concerned, the sovereignty of the island is a mere myth, a name without value, whilst the possession of an easement by the French to catch and dry fish on the strand vests in them all that is of value. Thirdly, my Lords, we object to the Act now before your Lordships' House, because it is to be used to enforce Regulations to carry out Treaties, the interpretation of which is disputed, and which Regulations have hitherto been framed in a manner making them oppressive and unjust to British subjects. British statesmen have declared that under the Treaties the French have only a right to fish in the waters along the Treaty shore in common with British subjects. But, acting under Regulations and Orders similar to those which this Act seeks to legalise, British naval officers have prevented our fishermen from exercising common rights with the French, have driven our boats out of the harbours of shelter along the shore, and have otherwise acted as though British subjects had no rights at all upon the Treaty shore, which were not inferior to those possessed by the French. Thus British statesmen have practically invited our people to do those acts for which British officers have punished them, and thus it will be in the future until the meaning of the Treaties is definitely decided. We ought not to be subjected to burdens at once odious and uncertain. Fourthly, my Lords, we object to this Bill because, utterly ignoring the Municipal Courts of the island, it commits the enforcement of the Treaties and Regulations to the care and supreme control of naval officers not learned in the law, unskilled in legal procedure, and not trained in a manner qualifying them to adjudicate upon abstruse questions affecting, it may be, the peace of the Empire on the one hand, and the rights of individuals upon the other. The sovereignty of the island of Newfoundland is in Her Majesty, and the right of fishing and drying fish on the coast was conceded to the French merely as an easement. To the enjoyment of this easement they are entitled, and for any interruption or injury they may allege to have sustained, appeal for redress should be made by them to the judicial tribunals of Her Majesty the Sovereign of the soil in the first place. We therefore most earnestly urge that Her Majesty's ordinary Courts of Justice in Newfoundland are the tribunals which should adjudicate upon questions arising between British and French fishermen. From any Judgment in such Courts a final appeal would lie to Her Majesty and the Privy Council. In no case should naval officers be permitted to try causes arising as aforesaid, since Courts of Justice already exist in the colony for the purpose ; and if it be deemed impossible for the ordinary Courts to enforce the law in such a manner as to adequately insure justice to the French, then we ask that special Courts should, as they could of course, be established. Fifthly, we object to this Bill because it is intended to aid in the enforcement of a *modus vivendi*—(*a*) both made and renewed without the colony's consent; (*b*) renewed after a positive pledge that it was "for one year only;" (*c*) renewed without providing for the operation of factories erected, completed, or made ready for operation in consequence of the pledge that the original *modus vivendi* was for "one year only;" (*d*) renewed without providing for the compensation of those who relied upon this pledge. Sixthly, we object to the Bill because it provides for the enforcement of the award of an Arbitration Commission definitely empowered to deal with one issue only, and that an issue against the separate submission, of which the colony has again and again protested. The colony is ready and willing to submit to unconditional arbitration all the questions arising under the Treaties and Declarations, asking only that no single question shall be decided until a decision has been arrived at as to all other points at issue, and that the award shall then be enforceable as a whole. According to the terms of the agreement for arbitration recently entered into, no questions can be submitted except those which affect the fishery upon the French Treaty shore, and these only as they may be agreed upon from time to time. This totally excludes from the purview of this arbitration one most important question which the colony desires to have decided—that, namely, which refers to the French occupation and use of the Islands of St. Pierre and Miquelon—and makes it possible for either of the high contracting parties to withhold any of those questions affecting even the fisheries themselves which such party may deem it inexpedient in its own interests to have decided. Either party, at any time after the settlement of the lobster question, or whenever dissatisfied with a decision upon any particular point, may withdraw from further arbitration ; and such a result may occur at a time most embarrassing to the other side. While, therefore, the colony perceives that under the present arrangement it will be impossible to have all questions decided, it has no assurance that upon certain issues adverse decisions may not be arrived at with no compensating advantages from decisions in its favour upon other points. While, therefore, it would welcome arbitration upon every question at issue, it deprecates in the most earnest manner a piecemeal settlement. My

Lords, it has been publicly stated by the right hon. the First Lord of the Treasury that the terms of the arbitration agreement were made known to the Government of the colony before they were finally agreed to. This, we regret to say, is not the case. On the 7th of March last, the right hon. the Secretary of State for the Colonies informed the Governor that arbitration would shortly take place on the lobster fishery question; and the Governor of the colony promptly telegraphed a protest against any arbitration which did not include all the questions arising under the Treaties and Declarations. Seven days afterwards—on the 16th of March last, that is—the right hon. Secretary of State telegraphed that an agreement for arbitration had been signed five days before, and then first made known its terms. Seventhly, my Lords, we object to this Bill because, while it permits the removal of property from the Treaty coasts, it makes no provision for the compensation of those who may suffer loss thereby, and thus makes the title to property extremely precarious. The effect which this Bill will have in retarding the development of the colony's resources has been already dwelt upon, but we cannot too strongly urge the duty of protecting private rights, and if the settlers upon the French Treaty coasts are to be liable at all times to removal by naval officers they ought at least to be assured of compensation. If the few are to be sacrificed for the good of the many, surely the many should compensate them, and to this compensation they should, we submit, be entitled by the terms of any Bill which may be enacted by Parliament. We are not unaware or unappreciative of the difficulties with which Her Majesty's Government have to grapple, and we are sincerely desirous of aiding in their solution. Actuated with this spirit, we have approached the Government with proposals calculated, we sincerely believe, to give all necessary power to execute the Treaties, Declarations, and Agreements with France according to their true intent and meaning. Those proposals are as follows:—First, (*a*) The Newfoundland Legislature to pass immediately an Act authorising the execution for this year of the *modus vivendi*, the award of the Arbitration Commission regarding the lobster question, and the Treaties and Declarations under instructions from Her Majesty in Council; (*b*) the further progress of the Bill now before Parliament to be deferred until the passing of the above Act, and the Bill then to be withdrawn; (*c*) the terms of an Act to empower Courts and provide for regulations to enforce the Treaties and Declarations to be discussed and arranged with the delegates now in this city as rapidly as possible, and to be enacted by the Legislature of the colony as soon as agreed upon. Secondly, (*a*) The present arbitration agreement not to be allowed to operate further than the lobster question without the prior consent of the colony, and in this case the colony to be represented upon the Arbitration Commission; (*b*) the colony desires an agreement for an unconditional arbitration on all points that either party can raise under the Treaties and Declarations; and if this be arranged between Great Britain and France, Newfoundland will ask to be represented upon such arbitration, and will pass an Act to carry out the award. We regret that up to the present moment these propositions have not been accepted, nor has any hope been held out that they will be. The temporary legislation which we have proposed to procure the enactment of would be immediately adopted by the Legislature of the colony, and present needs thereby amply met. I may here observe, my Lords, that we represent before you to-night all shades of political opinions in the island of Newfoundland, and therefore our promise to do this may be relied upon as though the Act were passed. The details of a permanent and thoroughly satisfactory measure would be arranged and enacted without delay by the Legislature of the colony. The adoption of our proposals would at once cause excitement to subside and would induce peace under conditions which make coercion by warships extremely difficult, if not impossible. If the Bill now before your Lordships becomes law, its provisions will have to be enforced upon a resentful people; but if our propositions are adopted, every good object which the present Bill can have in view will be easily and pleasantly attained, and without injury to the proper pride of a people who, though few in number, are as much entitled to consideration as the inhabitants of the proudest portion of the British Empire. No good, my Lords, can possibly come from coercing, or threatening to coerce, a people willing to do their whole duty; and to enact the Bill now before your Lordships, in face of the propositions made by us, would, we submit, be a needless indignity to a loyal people. In humbly praying that the Bill now before your Lordships may not be read a second time, we feel confident that we are consulting the best interests of Newfoundland and of the Empire. Its enactment will leave a rankling wound in the hearts of the colonists and establish a precedent that must ever give a feeling of insecurity to every self-governing colony. In offering, on behalf of the Colonial Legislature, to enact laws adequately providing for the honourable fulfilment of obligations of an exceedingly odious kind, we are animated by a spirit of patriotism and devotion to the Empire, and we must respectfully submit that persistence in the passage of the present Bill would, under the circumstances, be but a poor return for that faith in Parliament which animated the Legislature when sending us to the Bar of this House. My Lords, in conclusion, I may add that the time at our disposal has notenabled us to prepare such a full and complete statement of our case as we wished to lay before you, and we had hoped that the time for making this statement would have been extended; but we have to express our gratitude for the patient hearing which you have afforded us, and we are confident that the defects in our case will be supplied by your Lordships, as we are aware of the deep interest which you take in, and your knowledge of, the subject under consideration. We, therefore, leave the matter in your Lordships' hands in perfect confidence that you will mete out to the colony we represent that justice which is traditional of this most noble House.

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*Lord KNUTSFORD: My Lords, I think I shall be meeting the wishes of your Lordships if I propose to take the Second Reading of the Bill on Monday next, so that full time may be given to consider the very able speech which we have just heard. Before proposing the Adjournment, I beg to move, as a matter of form, the Second Reading of the Bill.

Lord HERSCHELL: As the Question has been put, I should have thought it would be better to do nothing further now.

*Lord KNUTSFORD: That is what I proposed; but I was informed I was out of order. If it is not out of order I will move the Adjournment of the Debate.

The Marquess of SALISBURY: It would be rather odd to move the adjournment of a Debate which does not exist; but you can proceed in either one of two ways—either adjourn the further consideration until Monday, or move the Second Reading, and then move the Adjournment. It does not seem to me to matter a straw which way it is. Time is of importance.

*Lord KNUTSFORD: My Lords, I have been furnished with a precedent, which says "That the further consideration and Second Reading of the said Bill be put off until Monday next"—curiously, the same day as in the present case. I would therefore move, my Lords, in that form.

Second Reading adjourned to Monday next.

BETTING BY INFANTS BILL [H.L.] (No. 34.)

BORROWING (INFANTS) BILL [H.L.] (No. 44.)

Order of the Day for the House to be put into Committee on the Betting by Infants Bill [H.L.] read.

Moved that the said Bill and the Borrowing (Infants) Bill [H.L.] be considered by the same Committee, and that it be an Instruction to the Committee that they have power to consolidate the said Bills into one Bill if they think fit (*The Lord Herschell*); agreed to: House in Committee on the said two Bills (according to order).

LORD HERSCHELL: I may state that the Amendments as now drawn are simply for the purpose of carrying out the consolidation of the two Bills. I have not made any further alteration, thinking it better to do anything of that kind in Committee after they have been consolidated.

Amendments made; and Bills consolidated into one Bill under the title of

"An Act to render penal the inciting Infants to betting or wagering or to borrowing money (Betting and Loans (Infants) Bill [H.L.])."

The said Bill re-committed to the Standing Committee; and to be printed as amended. (No. 101.)

PUBLIC BODIES (PROVISIONAL ORDERS) BILL.—(No. 74.)

Read 3ª (according to order), and passed.

CHARITIES RECOVERY BILL.—(No. 84.)

House in Committee (according to order); Bill reported without Amendment; and re-committed to the Standing Committee.

TAXES (REGULATION OF REMUNERATION) BILL.—(No. 93.)

Read 2ª (according to order), and committed to a Committee of the Whole House To-morrow.

House adjourned at a quarter before Six o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 23rd April, 1891.

QUESTIONS.

THE CHIEF COMMISSIONERSHIP OF ASSAM.

MR. H. GLADSTONE (Leeds, W.): I beg to ask the Under Secretary of State for India for the names of the gentlemen who have held the post of Chief Commissioner of Assam since January, 1886, and for the dates of their appointment?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The names of the gentlemen who have held the post of Chief Commissioner for Assam since January, 1886, are Mr. Ward, who was appointed on the 27th of February, 1885; Mr. Fitzpatrick, 31st of October, 1887; Mr. Westland, 16th of July, 1889; and Mr. Quinton, 22nd of October, 1889.

SALE OF OPIUM IN BURMA.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for India whether any correspondence on the subject of the sale of opium in Burma and of granting licences for the sale thereof has passed between the India Office and the Government of India since the correspondence (closing with a telegram, dated 16th August, 1888) which was presented to Parliament in 1888; and whether, if such correspondence has passed, there will be any objection to presenting it to Parliament?

*SIR J. GORST: No, Sir; there has been no correspondence on the subject since the telegram of the 16th of August, 1888.

POPPY CULTIVATION IN BENGAL.

MR. MACLEAN (Oldham): I beg to ask the Under Secretary of State for India whether the India Office has any evidence to show that the recent reduction in the area of poppy cultivation in Bengal is due to the intention of the Government of India to do away with the Opium Revenue little by little, and not to the commercial necessity for reducing production in order to keep up the price in face of the increasing competition of opium grown in China; and whether the policy of the Government of India with regard to this source of revenue is correctly expressed by Sir David Barbour, the Indian Finance Minister, who, in introducing his Budget for the year 1891-2, said—

"The Opium Revenue has no doubt fallen largely, and at this moment there are no indications of a recovery. On the other hand, the fall up to date has been discounted, and provision made to meet the consequent loss of revenue. As the fall has been so great we may fairly hope that for the present we have seen the worst"?

*SIR J. GORST: The reason given for the reduction of the area of poppy cultivation in Bengal is that the reserve stock of opium had become unduly large. The statements of Sir D. Barbour, no doubt, do correctly express the policy of the Government of India.

SIR G. CAMPBELL (Kirkcaldy, &c.): Will the right hon. Gentleman say whether the cultivation of opium has been stopped altogether in certain districts where it was least profitable?

*SIR J. GORST: I must ask the hon. Gentleman to give me notice of that question.

MANIPUR.

MR. SCHWANN (Manchester, N.): I beg to ask the Under Secretary of State for India whether he has now obtained any official reply as to the truth or falsehood of the rumours which have appeared in the Press, that the Indian troops killed Manipuri women and children in the affair at Manipur, so that, in case the rumour be proved false, it may be categorically denied?

*SIR J. GORST: In reply to the inquiry made by the Secretary of State the following telegram has been received from the Viceroy, which I will read to the House. It is dated April 21st, 1891—

"Foreign. Yours, yesterday. Regent asserts that several boys and women were killed at the time of the attack upon the Senapati's house. He does not say that they were related to him.' Maxwell, Deputy Commissioner, observes on this: 'The atrocities named are altogether false, as I have made careful inquiries.' Gurdon, Assistant Commissioner, reports: 'That women and children were killed, &c., is absolutely false.' The officer commanding at Silchar telegraphed on the 10th: 'The officers state that no cruelty of any kind was practised by us, nor was it possible.' This refers to Boileau, and apparently to all other officers who retired with him to Silchar. Regent's statements will be further investigated on the spot."

COLONEL NOLAN (Galway, N.): I beg to ask the Under Secretary of State for India if his attention has been called to a paragraph in the *Times*, of the 22nd, stating that villages had been burned at Manipur; whether this statement is correct; and, if so, how many villages have been burned; whether these villages have been burned as a punishment or from military contingencies; and, further, if as a punishment, whether as a punishment for simple resistance or for some specific act of treachery committed by the village burned; and if the villages have been burned owing to military contingencies, would he state the nature of such contingencies, giving such data as would enable a comparison to be instituted with similar unavoidable accidents in European warfare?

SIR J. GORST: In consequence of the question of the hon. and gallant Member, my noble Friend the Secretary of State has carefully perused the *Times* of the 22nd inst.; but he has been unable to find any confirmation of the report that villages have been burned at Manipur.

COLONEL NOLAN: The words "at Manipur" in the question should be "in Manipur." It is a misprint.

SIR J. GORST: Neither at Manipur nor in Manipur have any villages been burned.

MR. WEBSTER (St. Pancras, E.): I beg to ask the Under Secretary of State for India whether he has yet received information as to the alleged statement that the troops employed in the Manipur Expedition were at the time of the recent disaster without an adequate or suitable supply of reserve ammunition to fit their rifles; and whether, if he has no knowledge as yet on the subject, he will telegraph to India for such information?

SIR J. GORST: I find from telegrams which have been received from the Government of India that this matter is now the subject of investigation in India; and I am afraid that I cannot give a satisfactory answer to my hon. Friend until a full Report of the result of the investigation has been received.

MR. KING (Hull, Central): I beg to ask the First Lord of the Treasury whether, in view of the exceptional nature of the circumstances attending the Manipur disaster, care will be taken in any arrangements to be made with the Government of Manipur to secure that adequate compensation shall be exacted for the widows and relations of those who were massacred?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): In answer to the question of my hon. Friend, I have to tell him that the Secretary of State for India considers it premature to state at present what terms will be exacted from the Manipurese.

THE COMMERCE OF THE COLONIES AND INDIA.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the Under Secretary of State for the Colonies if there is any commercial department in the Colonial Office, as in the Foreign Office, engaged in actively collating commercial information concerning all British Possessions and making it known to the mercantile community in the United Kingdom and throughout the Empire to the advantage of mutual trade; and if he can state the total amount of the volume of trade in 1889 between the Mother Country and British Colonies and Dependencies (including India), and between the Colonies and Dependencies (including India) themselves?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): There is no such commercial department in the Colonial Office; the duty is undertaken by the statistical department of the Board of Trade, which is furnished with all the materials for the purpose. The results are published annually by the Board of Trade, and are laid before Parliament in the *Colonial Statistical Abstract*, which is on sale to the public. The Colonial Office also annually lays before Parliament separate Reports from each colony; and under arrangement with the Board of Trade that Department publishes monthly in the *Board of Trade Journal* the latest commercial information from the colonies, which Colonial Governments have been specially invited to furnish. These documents are distributed to the colonies, and are also on sale to the public. It appears from the *Statistical Abstract* that in 1889 the total value of imports (including bullion and specie) into India and the colonies from the United Kingdom, as far as could be ascertained, was £122,092,063, and the total value of exports from India and the colonies into the United Kingdom was £86,934,323. The volume of trade as between the colonies and dependencies could not be stated without lengthened research. As regards Indian trade, the special Statement presented to Parliament every five years gives the required information. The Statement for 1889-90 will shortly be in the hands of hon. Members.

TECHNICAL INSTRUCTION.

MR. H. BYRON REED (Bradford, E.): I beg to ask the Chancellor of the Exchequer whether his attention has been called to the fact that a sum of nearly £4,000, arising out of the Local Taxation Act surplus, has been handed over to the Bradford Town Council for purposes of technical instruction; whether the Bradford Church Institute, in common with other institutions in the town providing technical instruction, and having schools of art and science classes in connection with the Science and Art Department, South Kensington, made application for a share of this grant; whether he is aware that the said science and art classes of the Bradford Church Institute have been established for 17 years, and are the second oldest of the kind in that town, are conducted on absolutely non-sectarian lines, and are open to and attended by students of all religious denominations; and whether, in view of the fact that, notwithstanding these circumstances, the Bradford Town Council has declined to apportion to the Church Institute any share of the funds placed at their disposal, he can apply or suggest any remedy for this?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): Perhaps the hon. Member will allow me to reply to the question. The facts of the case have been correctly stated by my hon. Friend, and, in reply to an inquiry from a member of the Bradford County Council, the Science and Art Department have expressed their opinion that the school in question comes within the purview of Sub-section 1 (1) (*d*) of the Technical Instruction Act, 1889, and is qualified for the receipt of aid from the rates. If, therefore, the managers of the school feel aggrieved at the decision of the Council, it is for them to appeal to the Science and Art Department, under the subsequent sub-section of the Act, which provides that such points are to be determined by that Department.

BUTESHIRE COUNTY COUNCIL.

Dr. CAMERON (Glasgow, College): I beg to ask the Lord Advocate whether his attention has been called to the fact that the Buteshire County Council has resolved to appoint a County Medical Officer, who shall also act as District Medical Officer for Bute and Cumbrae or for Arran at a salary of £60 per annum, with liberty to carry on private practice; whether the Board of Supervision, as reported, had intimated to the County Council that "they had very reluctantly resolved not to oppose the scheme;" and whether any other proposals for the appointment of County Medical Officers at equally low salaries, and with liberty to engage in practice, have been sanctioned by the Board of Supervision; and, if not, on what grounds an exception was made in the case of Buteshire?

*The LORD ADVOCATE (Mr. J. P. B. Robertson, Bute): Under the regulations made by the Secretary for Scotland, the rule has been that a County Medical Officer should not be allowed to engage in private practice; but it was recognised that in some of the insular and smaller counties an exception might possibly have to be made. This has been found necessary in the cases of Bute, Orkney and Zetland, in all of which the salary does not exceed £60, and the holders of the appointments are permitted to retain their private practice. In those cases the Board are of opinion that the circumstances are exceptional, and that the rule could not be enforced without imposing an undue burden upon the ratepayers.

CROFTERS.

Mr. LYELL (Orkney and Shetland): I beg to ask the Lord Advocate whether he is aware that the Crofters' Commission have determined that sub-tenants, holding from a principal tenant or tacksman of a large farm or estate, are crofters within the meaning of "The Crofters' Holdings (Scotland) Act, 1886," and have entertained their applications, and fixed fair rents thereunder; whether he is aware that the First Division of the Court of Session, upon 19th March last, in the case of Robert Stewart Livingstone against Miss Mary Stewart Beattie, decided that sub-tenants are not crofters within the meaning of the said Act; whether he is aware that certain of these sub-tenants, who have been declared to be crofters, have been threatened with actions of reduction of the interlocutors of the Commission finding them to be crofters, and that all such sub-tenants who have been so declared to be crofters are exposed to such actions at the instance of their landlords; and whether the Government is prepared to take steps, with a view to the protection of said sub-tenant crofters, by amendment of the said Act, or otherwise; and, if so, in what manner?

*Mr. J. P. B. ROBERTSON: It is the case that the Crofters' Commission have determined in certain cases that sub-tenants are crofters within the meaning of the Crofters' Act, and have fixed fair rents. It is also the fact that the First Division of the Court of Session have decided that sub-tenants are not crofters in the sense of the Act. It was pointed out by the learned Judges that those persons are brought upon the estate, not by the landlord, but by the agricultural tenant, and accordingly that it is not surprising that the Act contains no provisions applicable to sub-tenants. I am not aware that actions have been threatened against those sub-tenants who have been dealt with as crofters by the Commissioners. The Government do not contemplate legislation on the subject.

MR. H. M. STANLEY AND THE CONGO FREE STATE.

Mr. SCHWANN: I beg to ask the Under Secretary of State for Foreign Affairs whether he has any information as to Mr. H. M. Stanley having accepted an official position in the service of the Congo Free State; and, if so, what is that position, and what will be his powers; whether he has any information to the effect that British and other

European traders on the Lower Congo are migrating to the left bank of the river, to avoid the high duties and personal taxes now levied by the Congo State; is he aware that the villages on the road from Matadi to Stanley Pool have, within recent years, become deserted, through a variety of exactions and excesses committed on the villagers; whether, in view of the fact that the British Consul, who is entrusted with the protection of our traders on the Lower Congo, is located at the Cameroons (some 400 miles, approximately, distant from the mouth of the Congo), and inefficient for the purpose, Her Majesty's Government will consider the advisability of appointing a representative on the Lower Congo; what are to be the functions of the "International Commission," as laid down by the Berlin Conference; can he explain why it has not yet been appointed; and when will it be called into existence?

*The UNDER SECRETARY of STATE for FOREIGN AFFAIRS (Sir J. Fergusson, Manchester, N.E.): (1.) We have no such information. (2.) We have heard reports that traders have moved to the left bank, but we have not heard of the transfer of British traders. (3.) We are not aware that the statement is in accordance with facts. (4.) Mr. Annesley has been detained on temporary service in the Oil Rivers, but he will shortly be relieved, and will be free to proceed to the Congo District. (5, 6, and 7.) The functions of the International Commission would be to supervise the application of the Treaty to the parts of the river over which no sovereignty or protectorate has been assumed. It is to be presumed that the delay in its appointment has been owing to the fact that the attention of the Powers has been turned recently rather to other parts of Africa. The requisite appointment of delegates by at least five Powers has not been made, nor is it known when it will be made.

LONDON (CITY) TRIAL OF CIVIL CAUSES BILL.

Mr. DARLING (Deptford): I beg to ask the First Commissioner of Works whether the Bill to legalise the holding of Assizes in the City of London is necessitated by reason of there being too few Courts in the Royal Courts of Justice for the Judges of the Queen's Bench Division; whether it is proposed to add to the number of Courts by building others at the Royal Courts of Justice; and whether each Judge has a private room, and also the use of certain rooms common to the other Judges?

The FIRST COMMISSIONER of WORKS (Mr. Plunket, Dublin University): The Bill referred to in the question of my hon. and learned Friend was introduced partly because of there being too few Courts in the Royal Courts of Justice. No decision has at present been arrived at as to building others. It is true that each Judge has a private room, except the junior Judge (Mr. Justice Collins), who has the temporary use of the Lord Chancellor's room. There is, in addition to the private rooms, one common room for the Judges' meetings. It is also used as a luncheon room by the Judges.

HOURS OF WORK OF RAILWAY SERVANTS.

Mr. CHANNING (Northampton, E.): I beg to ask the President of the Board of Trade whether the Board of Trade have now ordered the Return of instances in which railway servants have worked for more than 10 hours in any one day during the month of November, 1890, and of the number of instances in which railway servants, after working over 10 hours in any one day, have been called upon to resume duty without having rested eight hours?

The PRESIDENT of the BOARD of TRADE (Sir M. Hicks Beach, Bristol, W.): Yes, Sir. In consequence of the opinion which I found to prevail among the Committee upstairs, I have called for such a Return for the month of December last.

THE BURIALS ACT.

Mr. S. T. EVANS (Glamorgan, Mid): I had intended to ask the Secretary of State for the Home Department whether he is aware of the following incidents, which have occurred during the current month in Llangeinor, Glamorganshire, namely, that in a burial in the parish church of Llangeinor, in respect of which notice had been given under "The Burials Act, 1880," the parent desired that his deceased child should be interred in the same grave as a former deceased child of his; that when the funeral proceeded to the churchyard on the 8th April, it was found that the wrong grave had been opened, and that consequently the body lay in an uncovered grave over the night; that next day two more graves were opened, and that extra fees were demanded for the burial; that when, only six days later, another child of the same parent died, the church authorities refused to open the grave for the burial of this child till such extra fees demanded on the previous burial had been paid, and that the parent was thus compelled to pay them; whether the levying of such extra fees was legal, and why the wrong graves were opened; and whether he will make recommendations which may tend to put an end to the difficulties placed in the way of persons who avail themselves of the Act? At the request of the right hon. Gentleman, I beg to postpone the question until Monday.

CASE OF GEORGE WILD.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the First Commissioner of Works whether his attention has been called to the case of a man named George Wild, lately employed in Kew Gardens, who was discharged last year after 40 years' public service, and who is quite blind, and, it is stated, is "starving about the streets of Richmond;" and whether this man received any pension; and, if not, will he explain why?

MR. PLUNKET: I am informed by the Directors at Kew that George Wild was discharged from Kew Gardens in February, 1890, and received, in accordance with the regulations in force at that time, a gratuity of £35 4s., and that from inquiries which he has made he learns that Wild is not quite blind; that his wife is employed as cloak-room attendant in Kew Gardens at 9s. 4d. a week; that he has a grown-up son, and a well-furnished house, and cannot be said to be starving about the streets of Richmond. I shall, however, inquire further into the case.

MR. PICKERSGILL: Is it true that Wild had been for 40 years in the public service?

MR. PLUNKET: I am aware that he had had a very long public service, and that he received a gratuity on his discharge.

THE ARGENTINE REPUBLIC AND BRITISH SAILORS.

MR. LEA (Londonderry, S.): I beg to ask the Under Secretary of State for Foreign Affairs if his attention has been called to a statement in the *Standard* of April 18th—

> "That a number of shipwrecked British sailors had been impressed by the Government of the Argentine Republic into service at a life saving station; that they had tried to escape, but were closely watched, and subject to cruel treatment;"

and whether inquiries had been made to test the truth of the statement, and also the names of the ships to which the sailors belonged, and their release demanded?

*SIR J. FERGUSSON: Her Majesty's Government are taking steps to ascertain the facts.

CUSTOMS DEPARTMENT—PENSIONER BOATMEN.

MR. FURNESS (Hartlepool): I beg to ask the Secretary to the Treasury whether his attention has been called to the grievances of the pensioner boatmen of the Outdoor Department of Her Majesty's Customs; whether it is the case that they complain that they are not provided with uniform, that their pay is stopped for every day (including Sundays) during which they are absent from duty through illness, and that they are not allowed either Bank Holidays or annual leave of absence; and whether he will undertake to inquire into these grievances, with a view to get them remedied?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): Pensioner boatmen employed in the Customs Department are paid as wages such a sum as for the time being makes up, when added to their pensions, the fixed sum of £75 per annum. Their *status* being that of hired men, they are not entitled to be provided with uniform clothing, and they are liable to duty on every day of the year, including Sunday and holidays, except Christmas Day, Good Friday, the Queen's birthday, and the first Monday in August, or days in lieu thereof if the exigencies of the service demand it.

THE "COUNTESS OF CARNARVON."

MR. MORTON (Peterborough): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been drawn to the fact that the Managing Director of the Chartered British South Africa Company, Mr. Cecil Rhodes, despatched at the end of February last, from Port Natal, a steamship, the *Countess of Carnarvon*, under what were virtually false clearance papers; that afterwards Captain Pawley and certain troopers in the employ of the Chartered British South Africa Company were taken on board, as well as 1,000 rifles and 20,000 rounds of ball cartridge; that the *Countess of Carnarvon* afterwards ascended the Limpopo River, within Portuguese territory, a river not open to free navigation under the *modus vivendi* of August 1890, instead of proceeding to the port for which she had cleared; and that the arms and ammunition referred to were afterwards landed on Portuguese territory and conveyed into the interior; whether he can say for what purpose these arms were landed, and whether he is aware that no arms are allowed to pass through Portuguese territory into the interior of Africa without a licence from the Portuguese Government; and whether the proceedings of the officers, crew, and passengers of the *Countess of Carnarvon* constitute a violation of the fourth and other Articles of the *modus vivendi* of August 1890, between Her Majesty's Government and the Government of Portugal?

DR. CAMERON had also on the Paper the following Question: To ask the Under Secretary of State for Foreign Affairs whether any official information has yet been received concerning the seizure of the British steamer *Countess of Carnarvon* by the Portuguese on the Limpopo River?

*SIR J. FERGUSSON: I will reply at the same time to the question of the hon. Member for Glasgow. The reports which have reached us are incomplete, and do not enable me to reply in detail, but they confirm in part the statements as to the voyage of the *Countess of Carnarvon* referred to in the first part of the question. The High Commissioner has called for further information, and has directed that affidavits shall be obtained. The arms appear to have been supplied to Gungunhana at his request, and were landed at a spot indicated by him. I am informed that a bond was given to a Portuguese official for payment of duties if they could be legally claimed. The only engagement taken by Her Majesty's Government in the *modus vivendi* was that from the date of that agreement they would not make Treaties, accept Protectorates, or exercise any act of sovereignty within the sphere of influence assigned to Portugal by the Convention of August 1890. There was therefore nothing in the proceedings of the officers, crew or passengers of the *Countess of Carnarvon*, so far as we are acquainted with them, which constituted a violation of the *modus vivendi* agreement, but it appears certain that she sailed with false clearance papers.

PRISON CLERKS.

MR. LAWSON (St. Pancras, W.): I beg to ask the Secretary of State for the Home Department why the distinction between first-class and second-class clerks in Her Majesty's Prisons have not been abolished, and their annual increment increased from £5 to £7 10s., in accordance with the recommendation made by the Committee of Accounts, whose authority he quoted on this subject?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The hon. Member professes to quote from a Report of a confidential nature, of which he can have no knowledge in any authentic or authorised way. The recommendations are not accurately quoted, and even if they were, it would not be usual that I should give reasons for acting or not acting upon them. I have stated generally, in reply to a question of the 8th December last, the results that had followed from the recommendations of the Committee in question. I have nothing to add to that answer.

LETTERS TO CANADA.

MR. G. OSBORNE MORGAN (Denbighshire, E.): I beg to ask the Postmaster General whether it is the fact that all letters and newspapers passing between the United Kingdom and Canada have now to be despatched *viâ* New York, with the result that in some cases a higher rate of postage is charged; and whether this arrangement, under which our largest colony is cut off from direct communication with the Mother Country, is likely to be of a permanent character?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The Canadian mails were carried by the Allan Line under a contract with the Canadian Government, and my Department has no responsibility with reference to its sudden termination. This action has been taken entirely by the Dominion Government, by whom the contract was negotiated, and who I am given to understand have not found it possible to agree upon a renewal at present. In the meantime, the Mail Service with Canada must necessarily, under present circumstances, be carried on *viâ* New York; but so far as the public in this country are concerned, they will be charged no additional rates of postage.

THE PUNGWÉ RIVER.

DR. CAMERON: I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to the telegraphed report of Sir John Willoughby to the effect that two steamers, the *Agnes* and *Shark*, carrying British mails and a prospecting party led by him, had been fired on by the Portuguese at Biera, on the Pungwé River; that they, and some lighters belonging to them, had been seized, the British colours hauled down, and the Portuguese run up in their place, and that 16 men belonging to their crews had been imprisoned by the Portuguese; and whether the Foreign Office has received any official information on the subject?

*SIR J. FERGUSSON: The High Commissioner telegraphed home Sir John Willoughby's report, which is the same as that published in the newspapers. We have no further information. Instructions have been given to the Admiralty to send some of Her Majesty's ships to the Pungwé in order to give any protection that may be necessary, and to consult with the Portuguese Authorities on the spot on the measures to be taken for facilitating communication with the interior. Orders have been sent from Lisbon which, as we are informed, will ensure that all opposition to such communications on the part of the Portuguese Authorities shall be entirely removed. We have also been officially informed from Lisbon that orders have been sent to put an end to the detention of the vessels and crews conveying Sir John Willoughby's party.

ENGINEERING BRANCH OF THE ROYAL NAVY.

CAPTAIN PRICE (Devonport): I beg to ask the Secretary to the Admiralty whether it is the case that there is a considerable falling off in the number of candidates for the engineering branch of the Royal Navy, and that this falling off is becoming more apparent every year; and, if so, what steps he proposes to take to render this branch of the Service more attractive to suitable candidates?

THE SECRETARY TO THE ADMIRALTY (Mr. FORWOOD, Lancashire, Ormskirk): There were 93 candidates last year for 40 vacancies as engineer students, and so far there are 110 candidates for 45 vacancies at the ensuing examination. The number of candidates for the appointments offered to engineer students educated at private establishments, and for Probationary Assistant Engineers, are comparatively small, and the conditions of entry as regards these classes are being inquired into.

ELECTRIC LIGHT PROVISIONAL ORDERS.

MR. J. SPENCER BALFOUR (Burnley): I beg to ask the President of the Board of Trade whether it is intended to grant a third Electric Light Provisional Order in any suburban district where two Orders are already in force without first revoking one of the existing Orders, and thus affording a guarantee that the policy of the Board of Trade, as already announced, that there should be only two Orders in force in one district, shall not be departed from?

SIR M. HICKS BEACH: The Board of Trade have no power to revoke a Provisional Order unless the undertakers fail to comply with the requirements of the Order within the prescribed time. In the only case in which the Board of Trade propose to grant a third Order in a district this Session, they have reason to believe that one of the existing companies will not be in a position to comply with the requirements of their Order within the time prescribed thereby. If this should be so, the Board of Trade will, when the proper time arrives, consider any application for the revocation of the Order that may be made to them by the County Council or the Local Authority.

THE BOERS.

Mr. O. V. MORGAN (Battersea): I beg to ask the Under Secretary of State for the Colonies whether his attention has been directed to a letter from Pretoria, in the *Manchester Guardian* of Tuesday, under the heading "Another Boer Trek;" and whether the establishment of the proposed "Republic of the North" is an interference with the rights of the Chartered Company of South Africa?

Baron H. de WORMS: The High Commissioner has been directed to make it known in the South African Republic that any attempt to establish a Republic in the territories placed under the British South Africa Company will not be tolerated, and to inform the Government of that Republic that any such attempt, or any proceedings inconsistent with the protection accorded to Lobengula, or to any other chief in the territories under British influence, will be deemed an act of hostility against the Queen: and, further, that the Government of the South African Republic will be held to their undertaking in Art. X. of the Swaziland Convention to use their best efforts to support the authority of the British South Africa Company.

INFERIOR WHISKY.

Mr. O'HANLON (Cavan, E.): I beg to ask the Secretary to the Treasury if he is aware that a much larger quantity of new inferior whisky has been put into consumption for the past 12 months than that of any other year for the last 20 years, owing, it is alleged, to the fact that retailers cannot increase the price of small quantities sold over the counter, and that, on the other hand, they cannot reduce the liquor below the standard acknowledged by law; and whether he will inquire whether this sale of inferior whisky is in any way attributable to the extra Spirit Duty imposed last year, and take the entire matter into consideration when proposing his next Budget?

Mr. JACKSON: No record is kept of the quality of whisky brought into consumption.

Sir M. Hicks Beach

TECHNICAL EDUCATION.

Mr. FARQUHARSON (Dorset, W.): I beg to ask the Vice President of the Committee of Council on Education whether there would be any objection to setting apart a sum from the grants in aid of technical education for the purpose of awarding prizes for efficiency in ploughing, shearing, hedging, hurdle-making, and other matters connected with agriculture; and whether, if there be no objection, he would cause a Memorandum to be sent to the different County Councils to that effect?

Sir W. HART DYKE: Such subjects are plainly included in the processes of agriculture, for instruction in which the Act of 1889 provides; but I think the particular form suggested for the encouragement of such instruction may be open to legal objection, though something might depend upon the method of its connection with any general scheme adopted by the County Council.

COSTS IN THE CHANCERY DIVISION.

Mr. DARLING: I beg to ask the Attorney General whether he is aware that costs under the scale in force in the Chancery Division are higher than those allowed in the Queen's Bench Division of the High Court of Justice, and that a Committee of Masters and others was appointed to consider how to bring the two scales of costs into accord; whether that Committee has made any Report; and when it last sat?

The ATTORNEY GENERAL (Sir R. Webster, Isle of Wight): The scale of costs is, I am informed, the same both in the Chancery and Common Law Divisions, but I am not sure that the application of the rules is exactly the same in both Divisions. A Departmental Committee did investigate the subject in 1889, and reported in July of that year; but it would not, in my opinion, be for the public interests that I should make any further statement as to the Report of that Committee. It has not sat since. If my hon. and learned Friend will communicate with me, I may be in a position to give him further information upon the question.

THE EVELYN *v.* HURLBERT CASE.

Mr. SUMMERS (Huddersfield): I beg to ask the Attorney General whether he will call the attention of the Public Prosecutor to the case of "Evelyn *v.* Hurlbert," with a view to seeing whether sufficient evidence exists on which to base a prosecution of one or other of the parties to the suit for perjury?

SIR R. WEBSTER: In this case it is clear there must be the most careful investigation as to whether any or either of the parties can be convicted of perjury.

THE BERLIN CONFERENCE.

MR. ELLIOTT LEES (Oldham): I beg to ask the First Lord of the Treasury whether any, and if so what, legislative action has been taken by Foreign Governments to carry out the recommendations of the Berlin Conference on labour questions; and whether any system analogous to what is known in this country as the "half-time" system exists abroad?

*MR. W. H. SMITH: In answer to my hon. Friend the information which the Government has received is at present of a somewhat imperfect character, but it would appear that no especial legislative action to carry out the recommendations of the Berlin Conference has yet been taken by Austria, Belgium, France, Germany, Italy, the Netherlands, Portugal, or Spain. In Hungary, the Sunday Rest Act, and an Act for relief of workmen incapacitated by illness have been passed. In Denmark a law stopping unnecessary and regulating necessary Sunday labour has been recently passed, and in Switzerland there has been legislation limiting the hours of railway servants. In Belgium and Switzerland laws are already in force in harmony with the principal recommendations of the Conference. From Sweden and Norway no information has yet been received. In regard to the second part of the question, systems analogous to "half-time" or in some way limiting the hours of children, are in force in Austria, Hungary, France (partially), Germany, Italy, the Netherlands, and Switzerland. In Belgium half-time is voluntarily introduced in several large businesses. In Denmark, Portugal, and Spain there appear to be no regulations as to half-time. Further and fuller details have been asked for, which, when received, I shall be glad to give my hon. Friend.

THE BLOCK IN THE LAW COURTS.

MR. H. H. FOWLER (Wolverhampton, E.): I beg to ask the First Lord of the Treasury whether, having regard to the waste of judicial time involved in the present arrangements for the administration of justice in London and at the Assizes, to the accumulation of arrears arising from the long periods during which the Courts are not sitting, and to the dissatisfaction which exists with respect to the increased cost and delay caused by the working of the Judicature Acts, the Government will institute an Inquiry, either by a Royal Commission or by a Select Committee, either of this or the other House, to inquire into and report on the whole question?

*MR. W. H. SMITH: The Government do not propose to institute an inquiry into the working of the Judicature Acts. The principal Judicature Act, following on a Royal Commission, is of so recent an origin, while the Acts and regulations for the relief of business at the Assizes and for clearing the lists in London have scarcely yet been a year in full operation, that there does not appear to the Government to be any case for an inquiry of the kind suggested?

STORNOWAY AND CARLOWAY.

DR. M'DONALD (Ross and Cromarty): I beg to ask the First Lord of the Treasury whether the £15,000, to be spent on levelling the road between Stornoway and Carloway, is to be spent on levelling alone, or does it also include the laying down of tram lines on that road; and whether, if it is to be used solely as a road, by how many hours its construction will accelerate the carriage of fish to Stornoway as compared with the time that is taken up on the road in its present state?

*MR. W. H. SMITH: The offer of the Government of £15,000 is for levelling and improving the existing road, and does not include the laying down of tram lines. It is proposed to improve the gradient so that it shall not exceed 1 in 30. At present the worst gradient is 1 in 7, thus seriously reducing the load which can be carried. It has been stated that the charge for cartage is now 20s. per ton. If the road were improved as proposed this would probably be materially reduced, and the time of the journey correspondingly reduced.

BRITISH COLUMBIA.

Mr. SETON-KARR (St. Helens): I beg to ask the First Lord of the Treasury whether the Government are considering the proposals of the Government of British Columbia to guarantee the interest on an Imperial loan of £150,000, to be utilised for the colonisation of selected families from the United Kingdom to that country; whether, in view of the favourable nature of such proposals, the Imperial Government are prepared now, or in the near future, to in any way accept or co-operate in them; if so, to what extent; if not, what are the objections, if any, to such co-operation; and whether the Imperial Government are aware how long the British Columbian Government are prepared to keep this offer open for acceptance?

Mr. W. H. SMITH: The Government have not yet had sufficient time to fully consider the Report of the Colonisation Committee, but it is obvious that it is too late this year to select families for emigration. It will, however, be necessary for the Government before the autumn to go into the question if emigration is to take place next spring, and I hope it may be in my power before the House finally rises to make some statement of our intentions.

STATE OF SUPPLY.

Mr. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the First Lord of the Treasury whether, inasmuch as the House has now been sitting this Session for 70 days as against 125 in the Session of 1890 and 122 in the Session of 1889, and, as out of a total of 175 Votes in Supply only 13 have been taken, he will now mention a time when the Government will enable the House to perform one of its primary duties, by fixing definite and regular days for the consideration of Supply?

*__Mr. W. H. SMITH__: I am obliged to the hon. Member for calling attention to the slow progress made with Public Business. The House has been sitting about 70 consecutive days, and Government Business has had precedence only on 43 of those days, eight of them having been devoted to Supply. If the hon.

Gentleman would use his influence with some of the Members on his side of the House, who have occupied two-thirds of the time, or nearly so, with a view to prevent prolixity and repetition, the progress of Public Business might be somewhat more rapid. When the Land Purchase Bill has been reported to the House it will then be in our power to make some arrangement as to Supply.

Mr. J. E. ELLIS: Were we not given a promise last Session that Supply should be taken early this year?

*__Mr. W. H. SMITH__: I am sure the hon. Gentleman will see that any arrangement to put down a particular order for a given day could be frustrated by gentlemen on his side of the House.

Dr. FARQUHARSON (Aberdeen, W.): May I ask whether, if days cannot be fixed, the Estimates cannot be taken in their regular order? There is much inconvenience to Members in the fact that the Votes are not taken in their regular sequence.

*__Mr. W. H. SMITH__: It will always be my duty to suit the convenience of the House.

CITY OF LONDON PAROCHIAL CHARITIES ACT.

Mr. CAUSTON (Southwark, W.): I beg to ask the First Lord of the Treasury whether, when nominating the five members of the new Governing Body under the Central Scheme of "The City of London Parochial Charities Act, 1883," he will endeavour to secure, as far as possible, the representation on that body of persons of various views and interests, and particularly those who have devoted themselves to considering the various objects on which the Parochial Charity Funds could be most usefully bestowed; and whether he can state when the appointments are likely to be made?

Mr. W. H. SMITH: The hon. Member will probably be surprised to hear that the Government, in recommending to Her Majesty members for appointment on behalf of the Crown to the Central Governing Body of the City, carefully considered the fitness of those whose names were submitted. The Central Governing Body had, I am informed, their first meeting on Tuesday. The members who represent the Crown are the Dean of St. Paul's, General

Lynedoch Gardiner, C.B., Mr. Hayes Fisher, M.P., Mr. Quintin Hogg (Polytechnic), and Mr. C. J. Drummond (Secretary London Compositors).

BELFAST WATER COMMISSIONERS.

Mr. BLANE (Armagh, S.): I beg to ask the Secretary to the Treasury is he aware that Mr. E. Murphy, Arbitrator to the Local Government Board, sat on the 1st June to hear claims for compensation *re* the Belfast Water Commissioners and property owners and occupiers in Oldpark, near Belfast; that the final hearing of objections was held on 28th October, 1890, and the final award only made on 6th April, 1891; whether Mr. Murphy lodged a copy of this final award with the solicitors for the Water Commissioners two months before it was signed by him, for the purpose of enabling the Water Commissioners to consult counsel with reference to the Act which came into force on 1st April, 1889; and if any complaints have reached the Government with reference to the alleged delay in the publication of the award and the small amount of compensation given to property owners and others in Oldpark, Belfast?

Mr. JACKSON: I am informed that the dates mentioned in the first paragraph of the question are substantially correct. There is no foundation for the allegations contained in the second paragraph, and no complaints have reached the Government in reference to delay in the publication of the award to property owners and others in Oldpark, Belfast.

CASE OF WILLIAM COLL.

Dr. FITZGERALD (Longford, S.): I beg to ask the Attorney General for Ireland whether, in view of the facts that the conviction of Willian Coll at the Maryborough Assizes in the autumn of 1889, for participation in the proceedings at Gweedore on the occasion of the arrest of the Rev. Father M'Fadden, was affirmed, on appeal, only by a small majority of the Judges of the Court of Criminal Appeal in Ireland; that amongst those who dissented from the judgment of the majority of the Court were the Lord Chief Justice (now Lord Morris) and the Lord Chief Baron; and that Coll has now undergone one year and a half of penal servitude, he will advise the Lord Lieutenant to exercise the prerogative of mercy in his regard, and remit the remainder of his sentence?

*The ATTORNEY GENERAL for IRELAND (Mr. Madden, Dublin University): There has already been a Memorial to the Lord Lieutenant in this case, and the decision come to was that the law must take its course. The question as to the admissibility of evidence, on which the members of the Court of Criminal Appeal differed in opinion, does not in any way affect the merits of the applications.

INLAND REVENUE — DUBLIN SUPERVISORS.

Mr. CLANCY (Dublin Co., N.): I beg to ask the Secretary of the Treasury whether the outdoor supervisors of Inland Revenue in the "collection" which comprises the City and County of Dublin, as well as portions of the Counties of Wicklow, Wexford, Kildare, Meath, and Carlow, are compelled by the extensive character of their duties to work from 10 to 12 hours on week days, and often to work on Sundays also; and whether the Commissioners of Inland Revenue have described the outdoor supervisors as their most important officers, they being solely responsible to the Exchequer for the due and proper charging of the Excise Revenue; and, if so, will he direct the Commissioners of Inland Revenue to investigate the circumstances of their position with a view to increasing the staff of outdoor supervisors for the Dublin collection?

Mr. JACKSON: No such Regulation exists, but the Board of Inland Revenue are inquiring into the matter.

THE IRISH LAND BILLS.

Mr. BARTLEY (Islington, N.): I beg to ask the First Lord of the Treasury whether, as two weeks (sitting from day to day except Wednesday) have now been occupied with the Committee stage of the Irish Land Bills, and only one clause of the first Bill (out of 58 clauses) has been passed, he will consider the question of naming a day to report these Bills, so as to secure the ending of the Session in July?

Mr. SEXTON (Belfast, W.) also put a question upon the subject.

*Mr. W. H. SMITH: I am aware of the very serious delay that has taken place in the Committee stage of the Irish Land Purchase Bill, but I trust that the good sense and feeling of the House will enable such progress to be made as will make it unnecessary for the Government to adopt the extreme course proposed by the hon. Member.

Mr. J. MORLEY (Newcastle-upon-Tyne): After what hour will the Land Bill be not taken to-night? I see that it is down on the Orders.

*Mr. W. H. SMITH: Not after 11 o'clock.

Mr. SEXTON: I presume that the right hon. Gentleman gives no countenance to the suggestion that a day should be named for reporting the Bill?

*Mr. W. H. SMITH: No, Sir.

NEW WRIT.

For Dorsetshire (Southern Division), *v.* Colonel Charles Joseph Theophilus Hambro, deceased.–(*Mr. Akers-Douglas.*)

EAST INDIA INTOXICATING LIQUORS LICENCES (UPPER BURMA).

Address for—

"Return of Licences for the sale of Intoxicating Liquors issued in Upper Burma since the 1st day of January, 1888, showing the number of such Licences issued, the times at which, the districts for which, and the periods for which they have been issued; the prices paid for them respectively, and the conditions or regulations subject to which they have been issued (in continuation of Parliamentary Paper, presented 3rd August, 1888, and entitled 'East India (Upper Burma Licences)')." — (*Mr. Bryce.*)

EAST INDIA, OPIUM LICENCES (UPPER BURMA).

Address for—

"Return of Licences for the sale of Opium issued in Upper Burma since the 1st day of January, 1888, showing the number of such Licences issued; the times at which, the districts for which, and the periods for which they have been issued; the prices paid for them respectively; and the conditions or regulations subject to which they have been issued (in continuation of Parliamentary Paper, presented 3rd August, 1888, and entitled 'East India (Upper Burma, Licences).')." — (*Mr. Bryce.*)

NEW MEMBER SWORN.

George Herbert Morrell, esquire, for the County of Oxford (Mid or Woodstock Division).

ORDERS OF THE DAY.

WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

*(4.15.) The CHANCELLOR of the EXCHEQUER (Mr. Goschen, St. George's, Hanover Square): Mr. Courtney, I wonder whether hon. Members of this House who did me the honour last year to listen to my Financial Statement remember how, when I was suggesting that the Estimates of the Revenue for the coming year ought to be framed in a spirit of prudence, they associated themselves with that suggestion by a responsive cheer. I was then suggesting that, when we looked to the barometrical readings which ought to be studied if we would make a forecast of the condition of the people, there were signs in those barometrical readings directing us to frame our Estimates rather in a spirit of caution than in a sanguine spirit. I asked this House at the time whether they considered that I was right in my suggestion. The Committee associated themselves with me, if I may say so, in a partnership in regard to the caution with which the Estimates ought to be framed. Now, Sir, we are able to point to a surplus of £1,756,000 as the result of last year's finance. Nevertheless, I feel confident that the House will feel that they were right in the view which they took, and that it would have been wrong, looking to the circumstances of the time, to have counted upon the Revenue which happily has flowed into the coffers of the State. There was no certainty at that time of a continuance of the progressive prosperity which we now enjoy, nor of the speculative activity which marked the previous year. The Committee will remember that there were some ominous signs. The relations between capital and labour were strained, and there were symptoms of everything not being entirely right in the regions of high finance; and, accordingly, we were justified in presuming that no sanguine view should be taken of the Revenue of the year. Again, the Committee will remember the position of the Spirit Duties, and the part which they played

in the Estimates of last year. Were we justified in calculating upon the cumulative force in the tendency to spend a large portion of the increased wages and profits upon them? The close of the financial year has shown that the anxiety we felt at the beginning of the year was not misplaced. There were incidents towards the latter part of last year—dramatic, I might almost say tragic, incidents—which proved that, although we have escaped the great dangers which were besetting us, it was right not entirely to ignore the possible advent of such dangers. Again, fortunately, some of those strikes which threatened to be of a duration long enough to mar any hopes of an increased Revenue, were settled in the end, and there, again, we have escaped from dangers which might have occurred. I believe I may fairly claim that if ever caution was justified by results it has been so in the financial results of the year of which I have now to present the accounts, although the excess of Revenue over Expenditure has reached the satisfactory figure of £1,756,000. This result is all the more gratifying as in the past year it has been my fate to have to provide for a certain amount of unexpected expenditure. The needs of Ireland have compelled us to incur an increased expenditure of £200,000, an expenditure which this country has not grudged to its poorer Sister in her time of need. Then there are the Post Office and the Telegraphs; they required Supplementary Estimates of £200,000, and of that amount £150,000 and more has been due to an increase in the wages of the men employed. I would here suggest that, when the inevitable attack is made some day on the increase of the Expenditure, even our most ardent critics should be good enough to remember both with sympathy and with justice, that public opinion has given the Government the cue that it is no longer to buy in the cheapest market, but in the best, and is no longer to employ the cheapest labour, but the best. This tendency will show itself in a more striking form in the Estimates of the current year. There is another item of increased Expenditure in which the Committee will bear a share of the responsibility with the Government. I allude to the boon that was given to the Volunteers last year; I then included in the estimated Expenditure a Supplementary Estimate of £100,000, and the Secretary for War undertook to find another £50,000. But the result of carrying out the wishes of Parliament has been even more expensive than we expected, and the Supplemental Estimates show an increase of £80,000 on that head. With the history of the Supplementary Estimate of £350,000 for the Navy the Committee is already acquainted. But, apart from these excesses, I have had two bequests of liability left me by my predecessors, which it has been my unhappy fate to have to meet this year. The Irish Constabulary Fund was insolvent; and I hope I have put the fund straight at an expense of £150,000. I have had to provide another quite unexpected £100,000 in respect of what the older Members of the House may remember as the Chancery Book Debt. In 1872 it was supposed that a large amount of money owing to suitors in Chancery would never be claimed, and the sum of about £2,500,000 was written off. But experience has proved that an increased spirit of research, assisted by those means of increased publicity which the present day demands, has enabled many suitors, who it was believed would never claim, to make their claim, and possibly also old business has been cleared off at a more rapid pace, and perhaps there has been a desire on the part of some suitors to invest in other securities. The result has been that I have been called upon to find a sum of £100,000 out of the Revenue of the year and to place it to the credit of this fund. The Committee will sympathise with a Chancellor of the Exchequer who in a heavy year like this has been called upon to find £250,000 to meet such inherited liabilities. I have put before the Committee certain increased charges which we have had to meet. This last item of £100,000 increases the head of "Other Charges on the Consolidated Fund." Under this head there have been some savings, partly of account and partly of fact; £40,000, which was charged on the Consolidated Fund for Ireland in lieu of the licences given to England and Scotland, was not paid by the Consolidated Fund, as the Bill authorising the payment did not pass; but it was voted in Committee of Supply, so that it has no effect on the aggregate expenditure of the year. But we placed on the Consolidated Fund £300,000 for the erection of barracks, which I had undertaken to pay out of the Revenue of the year. Of this sum only £225,000 has been actually required, which gives a saving of £75,000. Lastly, the Committee will remember that a large sum was taken for the drawback on silver plate after the repeal of the duty. I am happy to say that the drawback did not reach the Estimate by £25,000—a very satisfactory result, due in great part to the administrative ability with which this complicated matter was carried out. As the final result of the excesses and savings which I have mentioned, the charges on the Consolidated Fund show a decrease of £65,000 as compared with the Estimates. The Supply Services show an increase of £421,500. The net increase is accordingly £356,000, which is less than one-half per cent. over the Budget Estimate. The exact totals are—£87,377,000, Budget Estimate; Exchequer Issues, £87,733,000, difference £356,000. If I include all that has been granted by Supplementary Estimates the final figures are somewhat different. The total grants were £88,511,000, against an annual Expenditure of £87,733,000, but the Departments have spent £778,000 less than Parliament placed at their disposal. I mention this to show that savings have been going on, and that the Departments have not abused the liberality of Parliament. The past year has not been free from Emergency Expenditure, but nevertheless the elasticity in the Revenue has enabled us to meet the increased expenditure in a manner which I hope will be considered on all sides as satisfactory. What has been the Revenue? The actual Revenue exceeds the Estimate by £1,879,000. Yet, as I have ventured to suggest, the Estimates were carefully framed, and framed with every propriety, of which I hope to submit proof to the Committee. The Committee will be impatient to learn under what heads these excesses have arisen. But let me point out that this increase of £1,879,000 is, after all, but about 2 per cent. on the total Revenue. One turn of the screw, one change in the general current of prosperity, and you might lose that 2 per cent. on which, happily, we are able to congratulate ourselves this year. In 1889-90, the Committee will remember, it was alcohol which played the principal part in depositing no less than £1,800,000 in the coffers of the State beyond my expectations. I refused to believe at the time that it was probable that the increase in the consumption of alcohol would continue and the revenue from its taxation again be exceeded. I think that was the view of the Committee also; but we were wrong in that respect. I believed we had reached the summit of the consumption of alcohol; but this year again, in the various items of alcohol, the consumption exceeds the estimate I had formed by no less a sum than £900,000. Out of the total increase of £1,879,000, alcohol counts for £900,000. There is the same rivalry this year between the various forms of alcohol as there was last year. Brandy, rum, wine, beer, foreign spirits, British spirits—all have shown again an increased yield; but the increase is chiefly in spirits; it has been larger in spirits than in any other department of alcohol. But it must not be said on that account that it is to Scotland or to Ireland that we mainly owe the increase in the Revenue. Being now able to trace the consumption to different parts of the United Kingdom with comparative accuracy, we have been able to see where this increase of consumption has taken place, and we find that the ratio of increase has been considerably larger in England than it has been either in Scotland or Ireland. In England the consumption of home-made spirits was over 18,000,000 gallons in the year—an increase of nearly 9 per cent. over the high figures for the previous year. The consumption beat the record by 1,000,000 gallons; and it was the highest consumption in England since 1880. In Scotland the consumption was 6,500,000 gallons, or an increase of 7½ per cent.; and in Ireland the total consumption was 4,900,000 gallons, showing the same increase of 7½ per cent. over last year. In both these parts of the United Kingdom this height of consumption has frequently been reached before, and sometimes passed; but in England it has never before reached this level. Rum once more shows a large percentage of increase—nearly 4½ per cent. over my estimate. Rum gives an increase of £144,000, brandy of £34,000, wine of £10,000, beer of £127,000, spirts of £586,000—together £901,000. I have taken British and foreign spirits together, because of the change in the system of methylation, which involves a transfer of a certain portion of revenue from Customs to Inland Revenue, amounting last year to £280,000. The net increase of revenue from foreign and British spirits is £586,000. The Committee can scarcely judge of the importance of this increase without reference to the amount on which it is an increase. That amount is about £15,000,000. The aggregate total of alcohol revenue is about £30,000,000. The total increase over the Receipts of the previous year is £720,000, and the increase over the Estimate is £900,000. I had allowed for a slight decrease in the consumption of spirits, not being prepared for the continuance of that considerable increase in every department of alcohol which we have witnessed in the past year. [Sir W. HARCOURT (Derby) here asked a question.] I ought to have said the figures do not include the additional 6d. a gallon on spirits, nor the additional 3d. on the barrel of beer, imposed for purposes of local taxation; I am speaking of Imperial Revenue only, which, of course, makes these figures all the more striking. Although this increase in the consumption of alcoholic beverages may be viewed with some disappointment and regret, there is at the same time in that increase of consumption one element of satisfaction. It shows that the powers of consumption of the working classes, owing to the increase of wages, has been on the increase during the last year. I have now the satisfaction to tell the Committee that the Customs, irrespective of the increase of spirits, show a satisfactory result all round, and bear eloquent testimony to the fact that the year 1890 will stand out as one of the years in which the working classes, as well as all other classes, have been able to add to the Revenue by their power of securing increased comforts for themselves and their families. I estimated the total Revenue from Customs at £19,116,000, and the Receipts have been £19,480,000, showing a surplus of Revenue over the estimated receipts of £364,000. To this must be added, for the purpose of comparison as regards Customs, £280,000 owing to the change made as regards the methylation of spirits, so that the Customs really show an increase of £644,000. Before the change was made as to the methylation of spirits, the spirits that were introduced from abroad first paid duty to Customs and afterwards had it returned in the shape of drawback by the Inland Revenue after the methylation had taken place. The spirits are now methylated in bond, and the Customs, therefore, lose the Revenue they previously obtained. On the other hand, the Inland Revenue is saved from the necessity of paying drawback, and thus the receipts of the Inland Revenue are increased by the sum by which the receipts of the Customs are diminished. The Committee should understand that the total of foreign spirits, owing to the circumstance that I have described, does not show an increase in Customs, but a decline of £107,000 as compared with the estimate. The increased power of consumption shown by the Revenue Returns of last year is also manifested by non-alcoholic beverages. The minor non-alcoholic beverages, including cocoa, show as usual little change, but tea plays a happy part in the history of last year, notwithstanding a Paper which has been circulated this morning to Members of the House in which it is suggested that no greater injury could be done to the consumers of tea than to take off the duty—a somewhat novel doctrine in political economy. I am not sure I do not see in that document some jealousy on the part of importers of tea from China in respect of the teas imported from our own possessions of Ceylon and India. Those possessions are contributing more and more to the tea supply of this country, and I doubt whether the strictures passed upon these newer imports in the document to which I allude are just. The reduction of the Tea Duty last year involved a loss of £1,500,000, but I reduced this loss in my Estimate to £1,282,000, by making allowance for increased consumption and other causes, but an increase in the receipts of £209,000 over my Estimate reduces the net loss to the Revenue to £1,073,000. A certain portion of the increase is due to the remission of duty, and the remainder is due to increased consumption irrespective of the reduction of duty. Making a careful calculation of all the necessary allowances, I conclude that the increase in 1890-91 over 1889-90 was at the rate of 6½ per cent. This, however, is not to be judged alone by the imports of the tea leaf, but also by the difference between the teas of China and those of India and Ceylon. Impartial judges say that the power of the leaf from our own possessions as compared with China teas is in the proportion of 7½ to 5 gallons of liquid of ordinary strength. Therefore, the increased consumption of tea is really still greater if we calculate the number of cups that have been drunk as distinct from the quantities of tea imported, because the tea from India and Ceylon goes further than the tea from China. I offer no opinion of my own as to relative strength; I only mention it as the opinion of impartial judges; and I believe the comparison is justified by the relative prices of the different teas. Taking into consideration the increase in gallons of liquid, the total increase in the amount of tea drink per head is about 7 per cent., instead of 6½ per cent. calculated on imported leaf alone. I pass to another article on which the duty was reduced last year, namely, currants. In 1861 the duty on currants stood at 15s.; it was first reduced to 7s., and last year it was further reduced to 2s. I calculated the Revenue from currants at £120,000, allowing for a considerable increase of consumption, and that Estimate has been almost exactly verified. While by that reduction we lost £215,000 of Revenue, the consumption has increased 26 per cent., and I think everyone will acknowledge that to be a satisfactory result. But, more than this, we obtained at the same time when we reduced the Currant Duty, concessions from Greece as regards the taxes on imports from England. And I see, just as might have been expected, that our imports of currants having increased, our exports to Greece have increased by 22 per cent. I now come to another interesting article. Possibly the majority of the Committee will be pleased to hear, while others will deplore it as an evil sign, that there has been an increased consumption of tobacco. There is no article which played a larger part in the Revenue of last year, considering its position in the Customs, than tobacco, the receipts of the year exceeding those of its predecessor by £474,000. I calculated on an increase of £213,000, but that has been more than doubled. A small portion was due to the cigar trade, but the great bulk was in that kind of tobacco which is sold to the people. I have looked at the quantity supplied, and I find that there has been a large increase of consumption by the wage-earning classes. One ounce of tobacco gives 12 pipes, and, according to that calculation, the increase in the number of pipes smoked last year was 560,000,000 pipes. But, though I put it in that way, there is a serious side to this question, too. We see in all this the increased powers of consumption, on which we are able to congratulate ourselves. We expected to lose by the reduction of the duty on tea £1,500,000, on currants £210,000, and on wine £10,000, making a total of £1,720,000, in addition to £280,000 through the methylation of spirits, which would show a total estimated loss on Customs of £2,000,000, but the actual loss was only £980,000 as compared with last year. Here we have satisfactory evidence of a considerable recuperation. I now pass to the Excise. As regards the Beer Duty, apart from the additional 3d. per barrel imposed for local purposes, it realised £375,000 more than the year before, and an increase of £127,000 over my Estimate. The total is £9,391,000. Of spirits I have already spoken. The increase over my Budget Estimate has turned out to be £870,000, or, deducting the gain resulting from the saving of drawback on methylated spirits, about £600,000. I now pass to the other items of Revenue, and the transition shows some curious results. The considerable advance shown in the Revenue derived from consumption almost immediately disappears. I particularly call the attention of the Committee to the somewhat remarkable figures connected with the Death Duties. One would think that that item of Revenue was most likely to be affected by the changes and chances of this mortal life, but none appears more possible of an absolutely correct estimate. I estimated those duties at £7,460,000, and the receipts were £7,444,000; the whole difference between Receipts and Estimates being only £16,000. The half Probate Duty was estimated to yield £2,400,000, and it gave £2,412,000, a most extraordinary instance of exact calculation. The increase, as compared with last year, is £148,000. The Estate Duty shows an increase of £124,000, and Succession Duty £110,000. Legacy Duty fell off £262,000, which I must balance by the other two. On the whole, the Death Duties come out right within £16,000. Therefore, they contribute nothing to that excess of Revenue over Expenditure to which I referred at the commencement of my remarks. General stamps have not realised the Estimate by £90,000. I allowed for a decrease of £85,000, and, therefore, the decrease is £175,000 as compared with the previous years. Then there is a loss as compared with the previous year on deeds and other instruments of £92,000; on bonds to bearer, of £50,000; on transfer of foreign securities, £18,000; on tax on formation of companies, £43,000; and on contract notes, of £7,000. In all these cases, while the Estimate has scarcely been realised, there has been no serious loss. It shows the forecast that the year would not be a very fruitful one in speculative transactions was accurate, and the caution exercised was abundantly justified. The whole Estimate under the head of Stamps (which includes the Death Duties) was £13,572,000, and the receipts were £13,460,000—a decrease of £112,000. House Tax was estimated at £1,460,000, and it realised £1,570,000, being £110,000 more than was anticipated, but a loss of £400,000 as compared with the proceeds of last year's tax. The result of the Income Tax again shows a remarkably accurate Estimate. We calculated on £13,200,000, and it realised £13,250,000, the whole difference on that enormous sum being £50,000. The total receipts of Inland Revenue collected for Imperial purposes exceeded the sum estimated by £1,114,000, but if from that is deducted the amount due to the increased consumption of beer and spirits, which comes roughly to £1,000,000, it will be seen that the difference on the total Estimate is less than ½ per cent.—conclusive proof of the caution and accuracy with which the Estimates had been framed. If, on the one hand, there has been a large increase in the produce of indirect taxation, when we come to Stamps, Death Duties, and Income Tax, the Estimate has just been realised, and that is all that can be said. I have still to deal with non-Tax Revenue. The Post Office and Telegraphs show an increase of Receipts over Estimate of £120,000, but that increase of Receipts is less than the increase of Expenditure over my Estimate, and, on the whole, the Post Office and Telegraphs show a loss, taking both sides together, as compared with my Estimates of last year, notwithstanding the fact that we did not realise the whole loss anticipated on the reduction in Colonial Postage, which only came into force on January 1. On Miscellaneous Revenue there is a satisfactory increase of £280,000. Of that sum, £200,000 was derived from profit on silver. In the year before it had given more than the ordinary profit, and we were of opinion that we had supplied the country with as much silver as they required. The country, however, have taken so much more than we anticipated that the receipts have been increased by £200,000 over our estimate. The total increase in non-Tax Revenue is £401,000. Adding to that the increase on Customs of £364,000 and the increase on Inland Revenue of £1,114,000, I get a total of £1,879,000 increase of Receipts over my Budget Estimate; and if I now deduct the Exchequer issues from the Receipts, I find a surplus of £1,756,000, as compared with the margin which I provided last year of £233,000, not, I hope, an unsatisfactory result in a year of uncertainty and doubt. This concludes the story I have to tell as regards the past year; and I venture to hope, although I thought it necessary to go into some detail, that these figures will not have been without interest to the Committee. I now approach a different, but a cognate, subject of our finance. I have spoken of the Expenditure which has been voted by Parliament and paid out of the taxes. I now come—and I think that hon. Members opposite will be particularly anxious that I should say a few words on this point—to the expenditure which we have incurred out of loans, and I will put this matter in the simplest form possible. The Committee will remember that there were three Acts passed. There is the Barracks Act, the Naval Defence Act, and the Imperial Defence Act. The Barracks Act I can dismiss in a few words. Our borrowing powers were only to begin in 1891-2. In the past years the funds for proceeding with the building of barracks were provided out of the Revenue of the year. Nothing has been borrowed under this Act. With regard to the Imperial Defence Act, that is divided into two parts—(1) naval, and (2) military. We were authorised to borrow under the naval part £850,000, and under the military £2,600,000. Under the naval portion we spent in the year 1888-9 £270,000; in the year 1889-90, £337,000; and in the year 1890-91, £243,000, or a total of £850,000. This total amount, less £52,000, charged on the Navy Votes, was borrowed from the National Debt Commissioners in 1889-90, the sums spent in 1888-89 and in 1889-90 having been taken out of balances, to which they were restored last year. The whole of this loan is to be repaid by annuities running over the next 12 years, amounting to £97,000 a year. On the other side we receive contributions from the Colonies, for the construction of the ships alone, of £35,000, irrespective of their maintenance. This is estimated at 5 per cent. on £700,000, the original estimate of the cost of the ships, but is actually about 4½ per cent. of the cost. After 12 years this Fleet becomes the free property of the State. I say free property, because up to that time, as the colonies undertake to pay the interest of the debt, the ships are not the free property of the State. They have to be kept in Australian waters, for the defence of which they are used jointly by the Imperial and Colonial Authorities. The annuity of £35,000 is provided by Statute by the Colonial Parliaments. We have proceeded by Statute also, and I will leave it to the impartial critic to say whether, considering that we are to be paid over a course of years by the colonies, and shall be in receipt of a sum of £35,000 for 12 years, it would have been fair to the taxpayers of two years that they should have paid the whole cost of these ships, while the taxpayers of the following 10 years would be receiving as a free gift the sum remitted by the colonies. I think I may say that, whether hon. Members agree with me or not, I have given a rational and fair account of that transaction. I now come to the military portion. Under this there was spent in 1888-9, £390,000; in 1889-90, £500,000; and in 1890-91, £780,000, which with a balance in hand of £60,000 makes up a total of £1,730,000. This total amount was borrowed on Treasury Bills in 1890-91, the sums issued in 1888-9 and in 1889-90 having been taken out of balances, to which they were similarly restored last year. The repayment of the sums borrowed in whatever form, whether by Treasury Bills or Exchequer Bonds, has been provided for, as the Committee will remember, by the arrangements made as regards the Suez Canal shares. The Suez Canal shares, after the year 1894 begins, will give us a revenue of from £500,000 to £600,000 a year, which, I think, I may call a windfall. Therefore, it will never be necessary to levy any taxation for the repayment of this sum, amounting, on the whole, to £2,600,000, unless, indeed, you consider foregoing all this revenue, on which you never calculated, and which you never before enjoyed, equivalent to taxation. Then I pass to the third head, the Naval Defence Act. Under this Act there has been borrowed in 1889-90 nothing, and in 1890-91 £696,000 from the National Debt Commissioners. In the Return moved for by the right hon. Gentleman the Member for Bradford it was anticipated that a much larger sum would be required. If I had not some special knowledge, I might have been impressed by the utterances which I have heard in a good many directions of a belief that many millions had been borrowed, whereas the actual amount borrowed with regard to naval defence is £696,000. There were two heads under which borrowing was authorised, one being that of naval construction in the Government Dockyards, and the other being that of contract ships. Under the first head, for the purposes of the ships built in the naval dockyards, it was anticipated that £611,000 would be borrowed. As a matter of fact, nothing has been borrowed, but £350,000 was taken as a Supplemental Estimate. Borrowing, according to the Treasury reading of the Act, could not commence till £2,650,000 had been spent, and that sum was only reached within the very last days of the financial year, and nothing was borrowed. On the contrary, I call the attention of the Committee to this: that in the previous year the whole amount which had been estimated had not been spent, and the taxpayer of the year 1889-90 paid more than the Expenditure of that year; and generally under all those Acts it will be found that if there has been any borrowing that ought not to have taken place, according to the judgment of some persons, it is only in the year 1890-91, and the proportions of that borrowing, and the circumstances under which it has taken place, will not be absent from the mind of the Committee. On the other hand, according to the terms of the Act, balances not expended in previous years had to be paid over to an account styled in the Act the Naval Defence Account. To this account there has been paid over last year £380,000, the unexpended part of the sum voted for Dockyard construction in 1889-90. I now pass to the question of contract ships. Under this head an annuity of £1,428,000 was provided in 1889-90, to be charged on the taxpayer, to run for seven years, and special provision was made by the Estate Duty and the duty on beer. It was necessary, in our belief, to increase the Fleet and for that purpose we established this system of building these contract ships under a statutory programme; and £1,428,000 being the sum established in the Act as the provision for each year. It was my painful duty to find the funds to meet that annuity. I remember the difficulty which I experienced in imposing the Estate Duty, and still more have I a lively remembrance of the difficulty of raising the extra 3d. on beer imposed for that purpose. It will be seen, therefore, that we made provision in that first year to meet that annuity, to go in payment of contract ships. The Estate Duty of £1,200,000 was almost equivalent to the annuity of £1,428,000. What has been the result? In the first year when the Act was passed £1,428,000 was charged upon the taxpayer. The whole of that could not be spent, as the contracts made would not embrace the whole of that sum in that year, and the result was that the Admiralty drew only £653,000, and the balance was retained in the Naval Defence Fund. To sum up as regards the year 1889-90, with respect to contract ships, £776,000, and as regards ships in Government yards £380,000 were put aside. These sums have been paid by the taxpayer of the year, but not spent; so that up to this year, far from the taxpayer being relieved from expenditure which a future taxpayer will have to bear, he has practically paid £1,000,000 more than it has been possible to spend. I trust that neither side of the House thinks that it is unnecessary for me to enter into these details, as so much confusion has prevailed. In the year which has just been concluded it was anticipated that, besides the amount standing to the credit of the Naval Defence Fund from the preceding year, the sum of £2,750,000 would be required. The estimate was made in January, 1890, and those who had to frame it had to consider not only how much the contractors would be able to do in the remaining three months of that year, but also what payments they would become entitled to in the year 1890-91. I think that every one who has had experience of these matters knows how difficult it is to estimate how much contractors will spend in a given time. The Admiralty took a liberal estimate. They considered how much the contractors would require, and they put it in the Return which was moved for by the Member for Bradford. As a matter of fact, partly through strikes and partly through having other work on hand, the Admiralty found that the contractors were not able to do the whole of the work for which it had been thought necessary to borrow money, and so did not draw the amount. The result has been that in the financial year we were only called upon to provide (beyond the money voted in Supply and the annuity charged on the Consolidated Fund) for £1,076,000, under the Naval Defence Act, for dockyard shipbuilding, towards which £380,000 was available from the Defence Fund, instead of the much larger sum which had been anticipated. The National Debt Commissioners have provided this balance of £696,000 out of their resources. To sum up the amounts which have been borrowed during the last three years under all the Acts that have been passed for Defence, the amount borrowed under the Imperial Defence Act was £2,580,000, of which £52,000 has been already repaid. Under the Naval Defence Act £696,000 has been borrowed, making a total of £3,276,000 for the year 1890-91. I am very sorry that it has been my duty to bring together these figures, which occupy a certain amount of time that I would gladly have devoted to subjects of more thrilling interest to the Committee, but, at the same time, it is right that I should have taken the course I have followed. Now I will speak of the estimate of the amounts likely to be borrowed under the Naval Defence Act in the coming year. For Naval Defence it is expected that £2,300,000 will be borrowed, and the anticipated amount for both the Defence Acts is £2,850,000. I pass now to a heavy subject, but, nevertheless, one which is full of interest, if we look to its effect upon taxation and the ultimate burden upon the people; I mean the reduction of the Debt. Last year in my Financial Statement I showed that £23,323,000 had in three years been applied out of taxes in the process of reduction of Debt. Since the 1st of April, 1890, the Funded Debt has been decreased by £6,665,000. On the other hand, the Unfunded Debt has been increased by £3,888,000, of course including the amounts borrowed for Imperial and Naval Defence purposes, and I have still to add £800,000 borrowed from the National Debt Commissioners for the Australian Squadron, so that, deducting these amounts of increase from the decrease, there has been a net reduction of £1,977,000 of Funded and Unfunded Debt. To this total I add, as usual, the diminished liability in respect of Terminable Annuities of £3,385,000, and the increase in the balance of £1,150,000, which is equivalent, of course, to a reduction in the Debt. Taking these items together, the reduction of liabilities in 1890-91 was £6,512,000, reduced by the repayment of the Cape Loan of £400,000, leaving a net reduction of £6,112,000, after taking into consideration the debt that has been incurred under the Defence Acts. I wonder whether this figure will surprise hon. Members. Let me further state, as I stated last year, the amount actually paid out of Revenue in the last financial year in reducing our capital liabilities, or applicable to that purpose—I mean the amount which the taxpayer actually paid within the year for the purpose of diminishing Debt. By Annuities and the new Sinking Fund, the taxpayer paid off Debt within the year to the amount of £5,860,000, to which I have to add the old Sinking Fund, *i.e.*, the surplus of the Revenue of last year, of £1,756,000, making a total applied from Revenue to the payment of Debt of £7,616,000. Adding that to the £23,323,000 paid in the three former years, the taxpayer has paid £30,939,000 for the reduction of Debt during the four years I have been in Office, or an average yearly application of taxes to the payment of Debt of £7,735,000. May I put the matter in another way? What was the effect of the process of reduction during last year, and of the conversion on the interest which the country is bound to pay on the Funded and Unfunded Debt? The interest for one year, as it stood in 1887, less Local Loans Stock, at 3 per cent. for the Funded, and 2½ per cent. for the Unfunded, Debt, was £18,771,000. The actual interest paid in 1890-1 was £16,986,000, a reduction of the charge for interest for last year of £1,785,000. Now let the Committee remember that this repayment of the Debt is optional, but that the charge for interest is compulsory; and it has been the good fortune of the present Parliament to be able to reduce, not the optional, but the compulsory, charge upon the taxpayers for the payment of Debt by a sum of about £1,800,000. Let us consider for a moment the measures as a whole affecting the reduction of the National Debt which have been passed during the last few years. In 1887-8 we reduced the permanent charge from £28,000,000 to £26,000,000, but the change has been materially modified by the result of the conversion, which reduces the interest on the

National Debt by £1,500,000. If the whole of that reduction had been left within the permanent charge, the reduction would not have been more than £500,000; but, as hon. Members will remember, I gave the taxpayers the benefit of £1,000,000 of that saving. The permanent charge, therefore, was put at £25,000,000, and now the extent of the reduction of the means available for paying off Debt, as compared with the permanent charge at £25,000,000, is £1,500,000 less, but not less by a greater amount than that. But that is not all. The annuities have also been at work; Debt has also been otherwise reduced; and I am able to inform the Committee that, notwithstanding the reduction from £28,000,000 to £25,000,000, we are practically able to pay off as much Debt now as in 1886. The difference against us is only £369,000, though the charge has been diminished by £3,000,000. However, I do not want the pace of the reduction of Debt to be tried by what I call the measured mile. Let me, therefore, take a somewhat longer period. The total amount during the last five years applied out of taxation to the reduction of the National Debt has been £37,200,000. The total for the five years before was £24,600,000. We have accordingly in the last five years provided out of taxes for the repayment of £12,000,000 more than was done in the preceding five years. But I will give another comparison. I will omit the years 1885-6 and 1886-7, which were years of exceptional military operations, and I will take the four years before and after, namely, 1887-8 to 1890-1, and 1880-1 to 1883-4. In the earlier years the total was £27,200,000, and in the later years it was about £30,900,000, the difference being £3,600,000 in favour of the later years. I think, therefore, that the present House of Commons has not failed to discharge its duty in following up, and not slackening, the pace of the reduction of Debt, to which we all attach the very greatest importance. Now, let me return for a moment to the question of the Funded and the Unfunded Debt. We paid off a portion of the Funded Debt to the amount of £5,000,000 just at the beginning of the present financial year, and we increased the Floating Debt accordingly, but I am happy to say that the amount of the Floating Debt—for I am anxious not to see it too high—in the hands of the public has been diminished by £2,400,000 during the past year. It stands to-day at about £21,000,000, which is only £7,000,000 in excess of what it stood at before the conversion operation, and that after we had paid off £24,000,000 of the Funded Debt in cash. I have seen a remark in one quarter calling attention to the large increase which has taken place in our Unfunded Debt without the slightest allusion to the reduction in the Funded Debt. It was laid to my charge as a crime that I had increased the Unfunded Debt, and as the sentences ran one would have thought that this was an increase of Debt altogether. But, as a matter of fact, we have reduced the Funded Debt to an amount quite out of proportion to the increase in the Unfunded Debt. I know there are men who think we ought to fund our Unfunded Debt; but if we are to do so we ought to be able to do it under favourable circumstances, and without loss to the State. I do not know whether hon. Members will remember that I undertook to use my best abilities in carrying out the conversion in order that we should not increase the capital of the Debt, and by that declaration I have stood. There are, no doubt, inconveniences in a large amount of Floating Debt, but I would rather gradually reduce that Debt than throw a large amount of Consols on the market in order to fund it. As far as the Floating Debt is in the hands of the National Debt Commissioners, the matter is as broad as it is long, inasmuch as I propose to give Exchequer Bonds—and in fact I have given them—running for a certain period. As regards the public, to fund that Debt would mean to offer an equivalent amount of Consols in the market, and that is an operation which those acquainted with the Money Market would not view with any satisfaction. I am sometimes twitted with the price of Consols. The price of Consols is comparatively low, but that has not only been due to the conversion, but to two or three other causes. It has been due in the present year to the immense sales of Consols to meet the financial exigencies in which some of the greatest houses have found themselves. Of course that has had a great effect upon the market. But, besides, it has seemed good to this House and to the other House to make some serious changes as regards Trust Funds; and there has been a kind of invitation issued in every direction that these stately Consols, which our forefathers and our fathers wished should constitute the maintenance of their children, should be replaced by other less patriotic securities. I venture to think, Mr. Courtney, that the bones of some of those patriots would turn in their graves if they knew what was being done in regard to their intentions that their daughters should subsist on Consols. There has been no sympathy whatever in the view that Consols should be the chief element in trusts. Imperial considerations have given way, I am afraid, before fair legatees and importunate *cestui-qui* trusts. This accounts for many sales of Consols which have affected the market. But I venture to think that the time will come when Consols will again resume the supremacy which we must all wish for them, and which constitutes the great strength of the nation. And now, before I pass to the finances of the coming year, let me say one word with regard to a subject in which hon. Members of this House take the deepest interest—that is, the question of the relief of local taxation and all that hangs thereby. I think the House would like to hear an authoritative statement of what has been done with regard to the transfer of funds to the Local Authorities. We have transferred in 1890-91 for Licence Duties to England £3,011,000, and to Scotland £310,000, making a total from Licence Duties of £3,321,000. For Probate Duty to England £1,930,000, to Scotland £265,000, to Ireland £217,000—total for Probate Duties, £2,412,000. For Beer and Spirit Duties to England, £1,039,600, to Scotland £143,000, and Ireland £117,000 — total from Beer and Spirit Duties, £1,300,000. The grand total transferred in these forms, with a sum of £40,000 voted for Irish labourers' cottages in lieu of the gain accruing to England and Scotland by the transfer of licences, is £7,073,600. But, of course, against that you have to set off the grants in aid which have been dropped, and which would have been given from the Imperial Exchequer in the old time. In the last year in which they were granted—1886-87—they amounted to £2,944,000, but as some of the contributions expanded from year to year, they would probably have amounted by this time to £3,200,000. If I deduct that sum, the total net relief given to local taxation in England, Scotland, and Ireland is £3,873,600. Generally, I may say, this has been given in relief of local taxation. But the Committee will remember that there were some special purposes to which this was to be turned. There was a sum of money that was available for school fees in Scotland, for payment for intermediate education, labourers' cottages, and national school teachers in Ireland. But, of course, the bulk has gone to the relief of local taxation. If I separate England from Scotland and Ireland, and say what the relief to England alone has been, after making allowance for the dropped grants, the amount is £3,100,000. Now, the Committee will observe that the relief is given not only by the Probate Duty, which represents personal property, but partly by the Beer and Spirit Duties, and this, doubtless, is a new element in our finance. I am prepared to say it is a sound element. I do not see why indirect taxation should not be put under contribution, looking to all the new purposes to which the Local Authorities are obliged to apply themselves. I do not see that it is unfair that indirect taxation should contribute, in some measure, to the relief of local taxation. Well, then, to what purposes has this additional Beer and Spirit Duty been put? It has been applied to three purposes. First, to Police Superannuation, about one-third; second, to general relief of local taxation; and, third, it was intended to be applied to the extinction of licences. I have received a great many communications which would indicate that the tax had been imposed for the last purpose only, but no one who has a shred of memory can forget that that is not so. There were three distinct purposes for which it was imposed. Well, now, I ask, has the higher scale of duty proved that the total duty is more than the alcoholic beverages would bear? I admit that considerable reconsideration ought to be given, if it had been found that this increased duty had generally proved that the duties were too high. That is not so. There is another argument on which I may slightly touch. It is argued that this additional tax falls, not upon the consumer, but upon a particular and limited trade. But I am unable to admit that plea, because, if that were so, I think we should never be able either to reduce or increase a tax. It may be that in some articles a tax falls more heavily upon a particular class interested in that article than upon others, but I do not think that we can hold that any particular class bears the whole amount of the duty put upon the article in which it deals. I will not deny—I will not attempt to deny—that the fact of the failure of one part of our scheme has naturally created much disappointment and irritation; but I repudiate in the strongest degree the suggestion that there was any pledge on the part of the Government that if we could not carry out the whole of our scheme, then this tax would fall to the ground. I am deeply concerned that a body of men engaged in a legitimate business should think themselves ill-treated because they are not relieved of this tax, but I must say at once that to relieve them of the whole of this tax would in any case be absolutely impossible, as it was imposed not only for the extinction of licences but for two other purposes. Then should a portion of the tax be repealed? Should one-third be repealed? I can assure the Committee that this matter has given me a great deal of anxiety, because the charge has been levelled more than once against me that I have broken my pledge in this matter—a charge I once more emphatically repudiate. But at the same time I have looked into the matter very closely. I have received 146 Memorials from the trade and others praying for the repeal of the whole of the tax, but in only one important Memorial has any mention been made of the repeal of a third of the tax. What would a third mean? It would be 1d. a barrel on beer and 2d. a gallon on spirits. Well, I confess it appeared to me at one time that it would be a comparatively small boon to take off these sums. It appeared to me, especially in the case of spirits, that a reduction of 2d. per gallon would disturb contracts, agitate trade, and would cause more confusion than the advantage which would be derived from the repeal. To an important deputation which I received I put the question whether they endorsed the view I held with regard to taking off this one-third, and they did not repudiate it. Then, on the other hand, I asked myself to what purposes has this one-third been put; what has been done with it? In a great many cases it has been applied to the development of technical education. County Councils have taken the greatest interest in the matter, and I think it would be very important if my right hon. Friend the Vice President of the Council would give the Committee and the public full information with regard to it. I may say, roughly, that a very large proportion of the County Councils have assigned the whole of this Revenue by resolution to technical education. A large number of others have assigned a portion of the money to the same purpose, and in other cases no answer has been given. Looking at the whole state of the case, it appears to me that it is felt by the country at large that the assignment of this sum of about £400,000 has been of incalculable advantage in stimulating technical education in the counties and elsewhere. Looking to that fact, and looking, on the other hand, to the very small and doubtful boon which it would be to take off 1d. a barrel and 2d. a gallon, I have come to the conclusion, I may say not without reluctance, not to disturb the tax. I say not without reluctance, because it will be admitted that those on whom it has fallen have been subjected to a great disappointment; but, at the same time, I should rejoice as much as any man in this House if the grant of this money should have the effect, which we all hope it may have, of stimulating technical education in all parts of the country. Mr. Courtney, at this point it becomes my duty to give my cordial thanks to the Committee for the great patience and indulgence with which they have listened to me hitherto, because, though I think there are many things in the Revenue of the past year which are interesting, and I have only given explanations which ought to have been given, nevertheless I know hon. Members are impatient to hear what the finance of the present year is to be. Well, then, in the first place, I come to the question of the Expenditure of this year. The Committee is already acquainted with the immense sum for which I am bound to provide the means. The Consolidated Fund Services amount to £28,295,000, being a decrease as compared with last year's issues of £408,000. The total of the Supply Services is £60,024,000, an increase of £1,000,000 over last year's figure of £59,030,000. Adding together the expenditure, therefore, as known to the Committee, I get a total of £88,319,000—I am giving round figures—which is an excess on the issues of last year of £586,000, and of nearly £950,000 on my Budget Estimate for 1890-91. That is a large increase; but the whole facts cannot be grasped without an analysis of the charges on the Consolidated Fund, which result in a diminution, as I have said, of £408,000. The Consolidated Fund last year included a sum for barracks of £225,000, for drawback on silver of £95,000, and for another item of £100,000 for the Chancery Book Debts. These figures vanish, at all events for the present, from our calculations. They are not included in the Estimates of the year, but they bring up the real excess of expenditure over last year's issues to nearly £1,000,000. And, further, the Committee is entitled to know that from the Miscellaneous Revenue an item of £120,000 has been withdrawn and appropriated, as Appropriations in Aid to Civil Service Votes, in accordance with the views of the Public Accounts Committee. Thus the Civil Service Votes appear so much the smaller, while the £120,000 vanishes from the item of Miscellaneous Receipts, and in effect our expenditure is so much the larger. Now, I think the Committee will agree with me that I am putting the full significance of these figures before them. I am not attempting to hide in any degree the vast expenditure which we are incurring. Why should we attempt to hide it? Why should we attempt to conceal from the people this expenditure if we believe the expenditure is made in response to the demands of the people and to the requirements of the Imperial Service? Do not attempt to say that we wish to palliate or excuse our expenditure. What we have to do is to defend it and show that it is necessary in the interests of the Empire; and not only so, but that the public itself is urging us on and is responsible for a great part of this increased expenditure. There are two ways in which you may show moderate Estimates. You may do so by being moderate in framing your Estimates; but you may do so also, by leaving half the work undone, and it has been the case sometimes that Governments—I do not make any distinction of Party in the matter—have sinned in the direction of entering upon a competition for the moderation of Estimates, while, as a matter of fact, work has been accumulating which their successors had to discharge. Now, I think the Committee will do me the justice to say that I have never attempted to hide our expenditure. Those who remember the language I used last year with reference to the expenditure of the country, especially for the two great Services, will remember that I was not the mouthpiece of a Government wishing to screen themselves from criticism; but I used the language of a Chancellor of the Exchequer anxious for the security and strength of the country, in which no one was more interested than himself. I repudiate the suggestion that we had, or have, any desire to hide the real expenditure from the country. Let me place some of the items before the Committee, and show whence this increased Expenditure arises. We have an increased Expenditure this year, but only £70,000 of that increase is due to the two great Services. No; it arises from other causes. Ireland [*a laugh*]; yes, do hon. Members wish to dissociate themselves from the increased Expenditure which we have felt ourselves bound to give to Ireland? The increase of Expenditure in Ireland arises from the relief works there, and from the light railways which we are constructing, though they are permanent works, out of the actual taxes of the country; and we ask in this coming year, and without any fear that our action will be repudiated by the House, that £200,000 more should be voted for Ireland for light railways and relief works. £500,000 of the increased Estimates of this year go, I will not say to the debit of Ireland, but to the satisfaction of the desire which has been felt in all parts of the United Kingdom to come to the assistance of our poorer Sister. [*Interruption.*] At all events, we are not ashamed to ask the taxpayers to vote an extra £1,000,000—for that is the amount in two years—to go to the needs of that portion of Ireland which is suffering from distress. The sneers of hon. Members below the Gangway, if they were sneers, are somewhat misplaced. I think they will prefer that their sneers should not be placed before the taxpayers of the country, who without a murmur, as far as I know—has there been a single public meeting where any member of the opposite side?——[*slight interruption.*] I do not wish to be controversial. How many men are there who would be reproached at any public meeting of English taxpayers for having assisted Ireland in her need, and having constructed light railways, by which we hope the material prosperity of that country may be increased? [AN IRISH MEMBER: Out of Irish money.] Yes; Ireland contributes. I quite agree—perhaps it was an omission on my part not to say so—that Ireland bears her share in the contribution. These are occasions when Ministers are not expected to be controversial, and I apologise to the Committee if I was carried away for a moment by the interruptions. I am dealing now with matters which do not concern the Executive Government of one day alone. I am pointing to a tendency to increased Expenditure, the results of which will fall as severely on any successors we may have as upon ourselves. It is a tendency to which I would call the attention of the country, apart from the assistance to Ireland. The next item, after Ireland, is Education. There is an increase of £140,000, partly due to the automatic increase in the number of school children, partly due to the extension of drawing in the elementary schools — a small matter which, nevertheless, swallows up some £70,000 or £80,000. Public Buildings show an excess of £70,000, and yet we are accused of miserable stinginess for not more rapidly advancing various public buildings which are required. Post Office and Telegraphs show an increase of nearly £400,000. That is the way in which the Expenditure is rising. Of this £400,000 a large proportion is due to increased salaries; and though we have this substantial increase, all the large cities are clamouring for new Post Offices, with sites that are valued at £100,000 or £200,000, and I think the time will come before long when the House of Commons—when the most ardent zealots in favour of the diminution of the Post Office Revenue—will find that in this matter of increased Expenditure they have a difficult element to deal with. Then there is the Census. We have £150,000 this year extra to pay for the Census; and a number of persons — I am not sure whether you, Mr. Courtney, were not yourself amongst the number —thought, on the whole, we were not going to conduct the Census with sufficient liberality and magnificence of statistical scale. Adding together these items we find an increase, after making all the necessary allowances, of £1,090,000 in the estimated Expenditure of this year as compared with the previous year. I have, I think, accounted to the satisfaction of the Committee for this increase in the Estimates. We have two Supplementary Estimates which we shall have to propose, and which hon. Members will be kind enough to add to the Estimate of the Expenditure of the coming year. There is a sum of £125,000 for the relief—for the continuation of the relief—of the distress in Ireland during the present financial year, and for the amount necessary for the relief of the crofter districts, and for carrying out in them those operations which my right hon. Friend the First Lord of the Treasury has described. Well, now I have done with the Expenditure of the year but for one remark, which, long as I have occupied the Committee, I should wish to make. I wish to make it before I approach the question of the means for meeting this Expenditure. We have some contributions in aid of our Expenditure; but to a very slight extent indeed, from our colonial fellow-subjects. We have had to consider—it was the bounden duty of the Executive Government to consider—while looking to the immensely increasing cost and the increasing requirements of the great Military and Naval Services, looking to the total which the British taxpayer is bound to pay, whether we have not a right to call for some increase of these colonial contributions which have been made in the past. We have examined this matter in no narrow or exacting spirit. We have looked to see whether such colonies as the Straits Settlements, Mauritius, and Hong Kong —we have looked to see whether their revenues have increased as ours have increased, under the protection of the British flag; we have looked to see whether they pay anything like the sum which some of the poorest and smallest States contribute for their defence. We have looked to their population; we have looked to their revenue; we have looked to their trade; and we have thought it to be our duty to see whether, in view of the changed circumstances, those contributions should not be revised. I have thought it right to make this public allusion to the subject, and I wish to assure our distant fellow-subjects trading under the British flag that we do not desire to approach them in a niggardly spirit; but we do think that they should, like some of the larger colonies, take an increased share in bearing the immense burdens of the Empire to which they belong. Some of the colonies, indeed, have come forward. Australia has done much in this direction. Some of the colonies pay their own troops; and I strongly hold that the smaller colonies should feel that they have duties cast upon them in connection with the Empire. I have made these remarks with the view of showing that this subject of colonial contribution is a question of importance to all sides of the House; it is a question for Parliament to consider. And now I pass to a review of the means of the nation to meet its general expenditure, and I ask the Committee, as I did last year—what is the spirit in which we are to frame our Estimates of Revenue? And, again, I invite the Committee, on most substantial grounds, to approach the Estimates of the Revenue in a spirit of caution. 1890 has been a brilliant year in many respects. I speak particularly as to trade and wages; but there are many people who believe that we may find ourselves upon the top of that curve of prosperity, and that we have not so good a year before us as the past. Still, we have two advantages in this year. One advantage is a permanent advantage. There is always that increased consumption which may be put down to the increase in the population, and 1 per cent. would be the normal increase of that portion of the Revenue which is due to the increase of population. Another advantage is that we have a larger number of tax-earning days in this year than last year. In the first place, it will be a Leap Year, which gives us one day more. Then we have no Easter in the present financial year. The present financial year is a year without an Easter. We have no Good Fridays and no Easter Mondays. [A VOICE: "Less consumption."] My right hon. Friend probably alludes to the consumption of certain special articles. True as regards consumption, but not as regards business! The provision for the consumption for holidays does not take place at the moment of the holidays, but at a different time, as experience has shown. The right hon. Gentleman the Member for Mid Lothian, who in 1861 had exactly a similar state of affairs, was able to speculate, and speculate successfully, on an increase of Revenue owing to the increase in the number of tax-earning days in that year. Three extra days mean 1 per cent. on the total working days of the year, and 1 per cent. is a large amount when you come to deal with millions. I add this 1 per cent. to the 1 per cent. for the increase in population, and if I allow for no other causes than those I have stated, we ought to have an increase of Revenue by 2 per cent. That would give about £1,200,000 on the £60,000,000. Now, let me turn to another matter, which I think will interest the Committee. What is the degree of prosperity on which we can count in the country as regards the general Estimates which I have to submit? How far has our prosperity been affected, for instance, by what has happened in the City? I do not think that the general prosperity has been greatly affected by the breakdown in speculation. It might have been otherwise if the danger had not been averted; but as it was met, and as there was no breakdown of credit in the country, the general estimate of the prosperity of the country has not been influenced by these events. I have made the closest inquiry into the state of commerce and industry, of trades and wages, and of agriculture in the country during the year 1890. Let me give the Committee some figures, because 1890 is a year which has topped all others in regard to the profits of the employer and the wages of the employed. There are exceptions, no doubt. The wool trade has not been so successful, and there is the shipping trade, which has been only fairly successful; but, looking at it broadly, 1890 has been an extremely prosperous year. For computations for the Returns under Schedule D of the Income Tax, the year 1887 vanishes from the average, and its place is taken by the year 1890—*i.e.*, the three years on which the average would now be built are 1888, 1889, 1890, instead of 1887, 1888, 1889. The comparison, therefore, of 1890, with 1887 becomes of peculiar importance. The sums at issue are so vast that it requires an exuberant fancy even to be able to form some conception of them. For instance, the bankers' clearings in London in the year 1890 were £7,801,000,000, against £6,077,000,000 in 1887, an increase of over £1,700,000,000. It seems like calculating the distance from the earth to the sun. The bankers' clearings in the cities of Birmingham, Manchester, and Newcastle-on-Tyne have been £225,000,000 in 1890, against £205,000,000, in 1889, an increase over that year, which was in itself a good year, of some £20,000,000, or 10 per cent. I congratulate the right hon. Gentleman the Member for Newcastle, whom I see opposite, on the prosperity of that city. Nor have the profits fallen much behind the transactions. The profits of 18 provincial banks in 1890 were £1,122,000, against £882,000 in 1887, an increase of nearly 40 per cent. The railways have carried more passengers, more merchandise, more minerals, and more live stock. In the vast cotton industry more cotton has been consumed than ever before, and not without some good returns. The profits of 88 companies in Oldham have risen from £86,000 in 1887 to £368,000 in 1890. Let the Committee look behind these enormous figures, and then they will see more work, more wages, more happiness in many homes in this increased prosperity. The increase in the value of coal has been immense. It is calculated that in 1889 the value of coal exported was £14,782,000, against £19,020,000 in 1890. The increase in the value of coal exported is thus no less than 28 per cent. The amount of the coal exported was 28,956,000 tons in 1889, as against 30,130,000 tons in 1890, an increase in quantity of 4 per cent. The profits of 16 Derbyshire Coal Companies in 1887 were £176,000; in 1890 they reached £572,000. In a number of other collieries, which I will not specify, the profits, which were £770,000 in 1887, rose to £2,330,000, in 1890. I will not carry on the comparison, but I require to state these things in order to justify the estimate of the Income Tax which I am going to make for the year 1891-92. The result of the examination of the Income Tax Collectors and others who report to me with regard to the prosperity of the country is this—that instead of putting the Income Tax down at £13,250,000 for the coming year, I am putting it down at £13,750,000, being an increase of £500,000 over last year. That brings up the Income Tax to £2,300,000 for each 1d. in the £1. The right hon. Gentleman the Member for Mid Lothian can look back to the first statements of Sir Robert Peel with regard to the Income Tax, and will remember that he calculated the 1d. in the £1 as representing £700,000.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): No; only £500,000.

MR. GOSCHEN: Yes; only £500,000, the right hon. Gentleman says, and now 1d. in the £1 represents no less than £2,300,000. But the Committee will not be satisfied if I speak only of the profits of the employers. I have made inquiries into the wages of the employed, and I may cite one instance, which is a pregnant and interesting instance with regard to the rise in wages. In one set of collieries the wages have risen from 1s. 9d. per ton in 1887 to 2s. 4d. per. ton in 1890. I have an estimate before me which places the total increase in the wages in the coal trade in 1890, as compared with those of 1885, at no less a sum than £6,000,000. That is an increase of wages on which we may congratulate ourselves. Well, I have spoken of the past year, but what about the future? I see no great cause for alarm with regard to any decline in the coming year; but I do not see indications that, having realised such high wages in 1890, it would be probable that they will continue to advance. I will not calculate upon a decline, but, looking to the possible effects of the M'Kinley tariff, and to other features upon which I have not the time to dwell, I am not prepared to expect any increase in the consumption of the various great articles of trade beyond the 2 per cent. I indicated in the earlier portion of this branch of my remarks. I will now proceed as rapidly as I can to give the figures at which I estimate the Revenue of the coming year. The Committee will bear in mind that I put down the Income Tax at £13,750,000. The Customs Revenue of last year was £19,480,000, but from this I have to deduct £200,000 for the Tea Duty collected before the change of duty took effect, and, that, with other adjustments, reduces the amount to £19,280,000. Adding 2 per cent. to this, the sum is £19,665,000, and I put the total of the Customs Revenue for the coming year at £19,700,000. Some of the items in this large figure are coffee, £333,000; dried fruits, £340,000; tea, £3,400,000; tobacco, £9,730,000; rum, £2,370,000; brandy, £1.370,000; and Geneva, £755,000. The total Customs, as I have said, I put at £19,700,000. I now pass to Excise, in which we estimated beer at £9,580,000; and British spirits at £15,150,000. I increased the Probate Duty last year by £140,000; this year I raise it from £2,400,000 to £2,450,000. The Estate Duty, I calculate, will produce £1,220,000, and the Legacy Duty, £2,580,000, a very slight increase in each case, because I do not think that in the face of the fall of securities which has taken place it would be wise to calculate on a greater excess. The Succession Duty I increase by £40,000, which brings it to £1,300,000. In general stamps, owing to what I have seen in the last months of the past year, I do not venture to place the figure as high as last year, and I reduce the Estimate by £67,000 to £5,900,000. The grand total of stamps, including general stamps and Death Duties, is £13,450,000. I make no alteration in the amount estimated from the Land Tax, and in the House Duty I allow for a further loss of £120,000, the total from that source being £1,450,000. The total of the receipts of the Inland Revenue I put at £54,980,000, as against £53,983,000 last year, or an increase of £997,000, being about 2 per cent. increase on last year. I add that to the increase on Customs, and I calculate the total increase in the taxed revenue at £1,017,000. I have still to deal with the non-Taxed Revenue. Under this head I hope for an increase of £320,000 in the Post Office and Telegraph Service receipts. In Miscellaneous Revenue, I am sorry to say, I find a tremendous gap. I place it at only £2,500,000, as against £2,979,000 last year, being a decrease of £480,000. I have alluded to the loss of £120,000 as being given in Appropriations in Aid of the various Civil Services. But another loss is due to the fact that I can no longer count on the difference of the profits of the Mint to which I have alluded. Therefore, I am unable to put the miscellaneous revenue at a higher figure than that I have named. I estimate the total of the non-taxed Revenue for the coming year at £15,750,000, as against £15,911,000 for the past year, being a decrease of £161,000. These figures give me a net increase for last year of £941,000, and a total Revenue of £90,430,000. I will now give the Committee a *resumé* of the figures:—Customs, £19,700,000; Excise, £25,300,000; Stamps, £13,450,000; Land Tax £1,030,000; House Duty, £1,450,000; Property and Income Tax, £13,750,000; total produce of taxes, £74,680,000; Post Office, £10,120,000; Telegraph Service, £2,480,000; Crown Lands, £430,000; Interest on Purchase-money of Suez Canal Shares, Sardinian Loan, &c., £220,000; Miscellaneous, £2,500,000; total produce of non-Tax Revenue, £15,750,000; total Revenue, £90,430,000. The Expenditure, as the Committee will remember, including the Supplementary Estimate of £125,000, is estimated at £88,444,000. I therefore find myself with a surplus—I will not say to dispose of—of £1,986,000—let us call it in round figures £2,000,000. I have now to ask myself, Am I to have this surplus? Is it to be at my disposal for my own financial purposes? Am I in the position of being able to give any remission of taxation? I approach the consideration of this question with considerable apprehension from the experience I have had of the past. There sits my right hon Friend the President of the Local Government Board with a guilty look which reminds me that one year he deprived me of all power of remitting taxation; another year the First Lord of the Admiralty did the same; and the Chief Secretary for Ireland has cost me an extra £1,000,000 within the last two years, although he may seek to palliate his guilt with the idea that I need not, on principles of financial propriety, have provided the means for the building of permanent railways out of the taxes of the year. Is there on this Bench yet another despoiler of the public purse? Well, Mr. Courtney, I am not without my anxieties, as a few minutes will show. Before I part with, or before the Committee dispose of, the surplus, let them look for one moment at the dimensions of the surplus. It amounts to £2,000,000. It is not a very large sum compared with the Revenue out of which it springs. It is scarcely more than 2 per cent. I do not know that any great things could be done with it. To do great things you want two elements—a surplus of money and a surplus of time; and although I have a moderate surplus of money, I do not know that I have any large, or any surplus of time. There are some great tasks to which I have been invited, including the reorganisation or re-arrangement of the Death Duties, of the Income Tax, and of the Stamp Taxes. My right hon. Friends opposite, as well as my Colleagues, know the difficulties of such gigantic tasks, and the length of time they require. The right hon. Member for Mid Lothian has spoken of the re-construction of the Death Duties as requiring a Session; the re-construction of the Income Tax would require a full Session also.

Mr. W. E. GLADSTONE: A century.

Mr. GOSCHEN: The right hon. Gentleman has been half a century in the service of his country, and during that half-century he has not been able to submit, or has not desired to submit, a plan for the re-construction of the Income Tax. We have no surplus of time, and I have only a small surplus of money which I mention, as sometimes it is by greasing the wheels, by exemptions, and otherwise, that re-construction can be achieved. I have yet another reason why it would be impossible to attempt the re-construction of the Income Tax, even with more time than I have, and that is because I am profoundly convinced that the two tasks, for one of which a Session is required and for the other, according to my right hon. Friend, a century, are practically two tasks that must be undertaken together. The re-construction of the Death Duties could not be undertaken without the re-construction of some features of the Income Tax. The re-construction of the Death Duties involves an increase in the taxes on real property; and, if so, you would have at the same time to consider whether a change in the Income Tax ought not to be balanced by a corresponding change in the House and Land Duties. But, however that may be, we are agreed in this, that both these two efforts would constitute a gigantic task. There remains the third task, the re-arrangement of the Stamp Duties, which are full of anomalies, some of which ought to be redressed; but if I might give a word of friendly advice to my successor, of whatever Party, it would be that he should not rush into any precocious passion for the redress of anomalies. There is no field more dangerous, in which there are more pitfalls and snares for the unwary, of which I have had experience myself. I found, for instance, that on the Stock Exchange stately British Stocks, all the most respectable securities, were taxed on their transfer or at their birth, while a certain class of shady foreign securities escaped scot-free; British respectability was taxed, but foreign gambling went scot-free. I thought that here was an anomaly to be redressed, and I put a tax upon fugitive securities, but I have never heard the last of it and of the "cumbrous method" by which it was done. I only created a grievance in trying to redress a wrong. I maintain that the principle I followed was correct; but if the experts of the Stock Exchange could find a less cumbrous form of taxing these securities, I should be only too glad to listen to them. As to stamps generally, one thing we have been able to accomplish—and I trust the announcement will not be unsatisfactory — the authorities of the Inland Revenue have prepared a Bill in which the existing law is consolidated; and I venture to think that will be a great boon to business men and the public generally. Whether it will be a boon to the Chancellor of the Exchequer I will not inquire, because all the anomalies and exemptions are brought out in the Bill with such clearness that I am doubtful whether I shall have a moment's peace from the denunciation of existing arrangements. While the House may undertake consolidation by referring the Bill to a Grand Committee, we have not time at our command for a general re-arrangement of the Stamp Duties. In none of these fields do I see the possibility of action this year, even if I had time at my command. I say, even if I had time at my command. But the question arises whether I have money at my command. I have £2,000,000 at my disposal, in one sense; but there sits on the Treasury Bench another despoiler of the Public Purse—my right hon. Friend the Vice President of the Council, who, I believe, has serious designs upon me. In the Gracious Speech from the Throne at the opening of the Session this passage occurred—

> "Your attention will be invited to the expediency of alleviating the burden which compulsory education has, in recent years, imposed upon the poorer portions of my people."

The Government do not intend to depart from the pledge which was given in that Speech—a pledge which we intend to carry out at the earliest date and in the amplest manner. The cost of that operation is large—the cost of following up compulsory education with a corresponding amount of free education, [A VOICE: "Assisted," *and cries of* "Free, free!" *from the Opposition Benches*, followed by *cheers*.] I do not object to stand by the word "free." We intend to deal with the subject in no niggard spirit, as the Committee will see when I tell them that the cost of that operation will absorb the £2,000,000 at my disposal. The Committee will judge from that of the degree and completeness with which we are prepared to carry out the pledge given in the Speech from the Throne. I have said that it will cost us £2,000,000; that is the aggregate cost, including what will be given to Ireland and Scotland; but, of course, we have now not to deal with an entire year. We do intend, if the House of Commons, as we expect and hope, second us by a resolute determination to get through its Business, that if possible no administrative delay of a single day shall occur, and if our views are carried out, the parents will be relieved under the Bill from fees for the children whose education will be freed under our proposals from the 1st of September next. It is not for me to disclose the particulars of the Bill which we shall introduce; but I may say that, asking Parliament as we shall to make the Bill operative on the 1st of September forward, we shall require in the course of this financial year something near half the amount of the £2,000,000. I must leave a margin, a balance, of course, and that will leave me a balance of £900,000. Am I to dispose of it, can I dispose of it, or must I not look forward to next year when the full £2,000,000, which our plans will cost, will come into operation? I cannot reconcile it with my duty to speculate, looking to the whole circumstances of the day, as to our having an additional £900,000 ready next year if I part with this £900,000. I feel that hon. Members will sympathise with a Chancellor of the Exchequer who is parting with a surplus to other persons, while he is burning to meet all those piteous petitions which are made for the remission of taxation. But one thing I have made up my mind about, and that is that the £900,000 ought not to be disposed of for a certain number of small reliefs. It must be kept together for the finances of next year in order that we may have the certainty of being able to carry out the whole of our task without any doubt and without any anxiety. If there were any strong claimants in this year I am bound to say it would be the class that could not be relieved by this £900,000, even if it were in my power to do it. Looking to the reductions which took place last year, and looking to the alleviations of the burdens of the masses of the country, I do not deny that the Income Tax payers would have a strong claim, but this £900,000 would be as nothing compared with the £2,300,000 which are wanted; and therefore I say again that it is impossible for me, looking to the future, to mortgage that £900,000. I trust that I may have the support of public opinion, notwithstanding the certain disappointment of many who look for some relief. But hon. Members will ask, what I am going to do with the £900,000? I propose to devote £500,000 to the construction of barracks, relieving me of the necessity of borrowing to that amount, and the remaining £400,000 to a purpose which will occur only once for all, which will not pledge the future, while it will at the same time, as I consider, meet an urgent public necessity, to which also we are pledged, namely, the withdrawal from circulation of light gold. That will leave me entirely free for next year. It would be improper for me to trespass further upon the time of the House with any explanations as to the measures which I think ought to be proposed as regards the strengthening of the circulation of the country in connection with the withdrawal of light gold. And now I have come to the end of my long story. I hope that the Committee will feel some slight sympathy with a Chancellor of the Exchequer who for the second time finds himself in the position of having his surplus snatched from his hands for other purposes. Again, the cup of pleasure, as regards the remission of taxation, is dashed from my lips, but I nevertheless feel an earnest sense of gratitude for the good fortune which, on the whole, I have enjoyed. The prosperity of the country has gone on increaing in a widening and fertilising stream during the last three or four years, and the energies of the people, followed by increased earnings, have sent more and more revenue into the Public Purse. And so we have been able to meet the larger demands made upon us. We have found that the spirit of the people has been requiring from us that we should undertake many costly functions which the State did not undertake before. I hope that in no niggard spirit, but watching the credit of the State, we have been able to meet those demands. I will conclude with the earnest hope that the prosperity which has blessed this nation for the last four years, undisturbed by the crises of big or little wars, may continue to grow, and that the people, in the enjoyment of prolonged peace, security, and plenty, may continue to rise to an even higher planet of physical comfort and of social and mental content.

Tea.

Motion made, and Question proposed,

"That, towards raising the Supply granted to Her Majesty, the Duties of Customs now chargeable on Tea shall continue to be levied and charged on and after the first day of August, one thousand eight hundred and ninety-one, until the first day of August, one thousand eight hundred and ninety-two, on the importation thereof into Great Britain or Ireland (that is to say) on—

Tea . . the pound . . Four Pence.—"

(*The Chancellor of the Exchequer.*)

(6.55.) Mr. W. E. GLADSTONE: I do not know what course the right hon. Gentleman proposes to take with regard to the method of proceeding. After his long and able statement, showing that no change of taxation is about to be made, it is not probably that any serious draft will have to be made on the time of the House for securing assent to the financial arrangements of the year. Of course no practical steps will be taken at the present stage, and I will ask what time the right hon. Gentleman proposes to take for the practical consideration of the subject.

(6.56.) Mr. GOSCHEN: If it will meet the general view, the Government will put down the further consideration of the question for Monday.

Mr. W. E. GLADSTONE: Undoubtedly that is a very short period. I have no doubt the Government make the proposal from its consideration of what is most convenient for public business, but, considering that there is no question of new taxation, and that the very important subject to which my right hon. Friend has adverted must necessarily stand over for discussion till positive proposals are made, I really think the Committee will be indisposed to go forward with the consideration of the subject on Monday.

(6.57.) Dr. CAMERON (Glasgow, College): I should like to know what the right hon. Gentleman proposes to do with regard to the proportion of the surplus that will go to Scotland and Ireland?

Mr. GOSCHEN: I am not prepared to state the exact form which the contribution to Scotland will take. Under the ordinary distribution of Revenue between England, Scotland, and Ireland, she will be entitled to a fair share which will represent the increase in the expenditure due to free education.

*(6.59.) SIR R. FOWLER (London): There was one remark of my right hon. Friend's to which I listened with great pleasure, and that was the remark about light gold. I think the commercial community will hear with very great pleasure that it is intended to withdraw the light gold from circulation. I wish to ask my right hon. Friend whether he will be in a position on Monday to make a statement as to what he is likely to do on that question?

(7.0.) MR. MUNDELLA (Sheffield, Brightside): Having regard to the very important statement of the Chancellor of the Exchequer, and as the First Lord of the Treasury is aware, I have asked him two or three times during the Session when we may expect to have the scheme of the Government relating to free education laid before the House, I rise to ask whether he can now state when the scheme will be in the possession of the House? All parties in the country are most anxious to see what the scheme is. We have heard with pleasure from the Chancellor of the Exchequer that the question is not to be dealt with in any niggardly spirit; there is really to be free education, by which we suppose that all the standards from top to bottom will be free. As every section of the community is most interested in this very important measure, I am quite sure we shall all be glad to hear when we may expect to have the measure placed in our hands.

COLONEL NOLAN (Galway, N.): I hope the Chancellor of the Exchequer will give us an assurance that the grant made to Ireland is to be devoted to the payment of the childrens' school pence. There are many ways in which the Chancellor of the Exchequer could distribute the money. The system of education in Ireland is somewhat different to that in England and Scotland, and, therefore, I hope he will make it plain that the grant is intended to be applied in lieu of the school pence.

(7.2.) MR. PICTON (Leicester): I think both sides of the House are extremely rejoiced to hear of the speedy advent of free schools; an ideal for which many of us have so long contended. Of course, we trust that the enlargement of public grants will be accompanied by an equitable extension of public representation upon the management. But while I feel the Chancellor of the Exchequer could scarcely have devoted his surplus to a better or nobler purpose, I cannot but regret he has not endeavoured by means of economies also to make provision for a free breakfast table as well. Free schools are all very well, but a free breakfast is a very substantial advantage likewise. The Chancellor of the Exchequer has spoken of the sudden increase in the consumption of tea. Last year but one he had to tell us that tea made no progress; last year again he told us that the Revenue from tea had actually fallen off. During the past 12 months the amount of tea consumed has very considerably increased. What does this mean? It means that through the imposition of a 6d. duty on tea a very large number of very poor people were deprived of tea that they would otherwise have consumed. It is clear that if the whole tax were taken off a large number of people would be able to procure a great addition to their daily comfort in the use of tea.

(7.5.) SIR R. PAGET (Somerset, Wells): I desire to refer to that portion of the speech of the right hon. Gentleman in which he dealt with the action of the County Councils in respect to technical education. I hope I am right in my estimation of the right hon. Gentleman's remarks, namely, that the County Councils may now go forward with a free hand and deal effectually with the important matter of technical education. In other words, I trust we may with certainty reckon that the sum which has been placed at our disposal during the past year will be paid to us in future years for the purposes of technical education. The matter is a little urgent, because at this moment County Councils in every part of the country are engaged in consideration of the circumstances. They are endeavouring to frame schemes to give effect to a complete system of technical education, and it is of the greatest moment to them that they should be informed whether they may rely upon this revenue, and thus be enabled to enter into definite engagements. I cannot refrain from expressing the belief that great satisfaction will be felt at the conclusion at which the right hon. Gentleman has arrived; that satisfaction will be considerably enhanced if he can assure the County Councils that they may regard the Grant as of a definite and permanent character.

*(7.7.) Mr. SHAW LEFEVRE (Bradford, Central): I desire to ask the Chancellor of the Exchequer whether he can now lay on the Table of the House a Return of the estimated military expenditure for the present year, showing also the various ways in which it is proposed to deal with the money?

(7.8.) Major RASCH (Essex, S.E.): As an humble agricultural Member, I wish to express my gratification at the redemption by the Government of their promise with regard to assisted education. With bread at 6d. a quartern loaf, and wages at 13s. a week, as they are in Essex, the boon the Government are about to give can hardly be adequately described. I am certain my constituents and the inhabitants of East Anglia generally will never regret the support they have given Her Majesty's Government.

Mr. RATHBONE (Carnarvonshire, Arfon): I did not quite catch what the Chancellor of the Exchequer said about the withdrawal of the light gold in circulation. Does he intend to accompany that withdrawal by other measures connected with the statements which have been attributed to him?

(7.9.) Mr. SYDNEY BUXTON (Tower Hamlets, Poplar): I trust the Chancellor of the Exchequer will be able to inform hon. Members that in his statement just now, he meant that the duty of 3d. a barrel of beer and 6d. a gallon of spirits will be continued as a permanent tax, because with regard to technical education many of the County Councils are in great difficulty. They do not know whether to treat the amount they receive as capital or as interest. I think the right hon. Gentleman gave good reasons why it should be a permanent tax. I am afraid I can hardly share the sanguine anticipations of the hon. Gentleman in regard to assisted education, and I am afraid that when the measure is introduced it will hardly satisfy the desires which we entertain in regard to it. The right hon. Gentleman has said he intends to deal with the question in no niggard spirit, and certainly some of us who are in favour of free education desire to see it dealt with, from top to bottom, in a thorough manner, and not merely in the way of further remission of fees. I think the Bill will receive cordial support from all quarters of the House, if it is found to be thorough and workable, and if it provides, as we hope, for further control over those bodies which are at present non-representative, and which we are to provide with these further large sums. I congratulate the right hon. Gentleman, not only on the fact that he is able to introduce this system of free schools, but on the generally satisfactory results shown in the Budget. I think his proposal to practically keep over the £1,000,000 until next year for free schools is a very sensible and satisfactory one, and I think we may very well be satisfied with the present financial condition of the country.

(7.13.) Mr. BRYCE (Aberdeen, S.): I join in the congratulations of Members on both sides of the House on the resolution of the Government not to withdraw the Special Excise Tax, but to let it remain available for the promotion of technical education. I concur in what has been said with regard to the growing and increasing interest which the provision of this money has excited on the subject of technical education. In Scotland, the application of the grant has been somewhat impeded by the deficiencies of the existing law in regard to technical education. I commend to the Government the desirability, now that we are assured that this source of income will be permanent, of considering whether they could not amend the Act in this respect. I think that in Scotland the object we are most entitled to consider in dealing with grants of this kind is the promotion of technical education. I think the Chancellor of the Exchequer has lately heard that the grant to the Scotch Universities has also proved inadequate, and that the desired reforms cannot be carried out without an additional contribution from the Treasury. I think the Government would do well to make inquiry as regards the needs of secondary and universal education in Scotland, and to consider them as among the objects to which the Scotch portion of the fund should be devoted.

*(7.16.) MR. F. S. POWELL (Wigan): I am glad my right hon. Friend the Chancellor of the Exchequer has been able to hold out the prospect of a permanent grant for the work of technical education. The different localities will require some time to consider the whole subject, and to ascertain their own wants in regard to it. I do not wish to be drawn on this occasion into a Debate on free or assisted education. I rely upon the declaration made by the Prime Minister elsewhere that, under a system of assisted education, the voluntary schools are to be kept intact; but I hear with some apprehension and alarm from the other side, that there is to be a change in their management. I believe that change in that direction would be met with sharp resistance. Hon. Members opposite seem to think that because there is to be a larger grant from the Consolidated Fund the voluntary schools should be subjected to an extension of public local control. I can see no connection between the two conditions. If you have a grant from the rates you must have ratepayer's control; and it is because I do not wish to see any control by the ratepayers that I have always declined to receive money from the rates.

THE CHAIRMAN: The hon. Gentleman is anticipating the discussion on this question.

*MR. F. S. POWELL: I am sorry I have gone beyond the Rules of the House, but some allusion was made to the subject, and all I desired to do was to make a protest, and so far to cover the ground.

*(7.19.) SIR U. KAY-SHUTTLEWORTH (Lancashire, Clitheroe): I only wish to ask a question as to the time when we may expect to have the Education Bill before the House. Hon. Members anticipate that the Bill will contain provisions altering the system of management of voluntary schools. The measure ought to be before the House in ample time to be properly considered by the country. We are already far advanced in the Session. If the Bill were introduced late in the month of May, there would not be time for its proper consideration, and I hope we shall have it presented to us in the smallest number of days, so that our constituents may have time to consider it before it is brought on for Second Reading.

(7.21.) MR. SINCLAIR (Falkirk, &c.): Will the Chancellor of the Exchequer give some information as to his views about £1 and 10s. notes in relation to the currency? A very important and interesting speech on this question was delivered by the right hon. Gentleman at Leeds, and I hope we shall have a little more light on the subject. With regard to technical education, I think it is necessary to have legislation to secure that the money shall be applied in the way intended by the State. In some cases the County Councils have not so applied the money, but have used it in reduction of rates. As to the proportion of the money to which Scotland is entitled, she has for some time past provided out of her own funds for elementary education, and I trust it will be found that the higher education and secondary education grants will be provided for out of money she will become entitled to under the right hon. Gentleman's proposals.

*(7.23.) MR. BARTLEY (Islington, N.): I should like to say one word on what may be called the Education Budget. I believe you, Sir, ruled it out of order to allude to the effect of free education on the voluntary schools; therefore, I will not touch upon that point. I may say, however, that any system of free schools which in any way injures the voluntary schools will certainly meet with very strong opposition. I must say I do look with some apprehension on this very large subject which has been sprung on us at this period of the Session. It almost reminds me of the large question sprung on us in the last Budget, and which led to so great difficulty; and though the question of free education is one which, in theory, all sections of the House hold to be popularly attractive, yet, when you come to work out the matter in detail you will find that you are entering on a

matter that will involve great difficulty. We have had some indication of that already. I can say, having devoted 20 years of my life to dealing with education and having been connected with the Education Department during the whole of that period, I have yet to learn that the Educational Authorities, from the late Professor Fawcett downwards, are agreed as to the advisability of free education. I am not going into the matter fully, but I would state emphatically, that unless precautions are taken in the Bill to protect voluntary schools, determined opposition will be offered on this side of the House.

(7.27) Mr. R. T. REID (Dumfries, &c.): I observe that the Chancellor of the Exchequer maintains a strict reserve as to the application of the money that will belong to Scotland corresponding to the sum to be granted for free education in England. I am pleased to observe that. I hope that means that the right hon. Gentleman contemplates inviting the opinion of the bulk of the Scotch Members as to the application of the money. The hon. Member behind me says he wishes to see the money devoted to secondary education. I do not want to say a word against that, but it is possible that different parts of Scotland may desire to see the money disposed of in different ways. Therefore, I trust the right hon. Gentleman will consult the Scotch Members.

(7.29.) Mr. BUCHANAN (Edinburgh, W.): I do not altogether agree with the hon. and learned Gentleman who has just sat down. I understand the Chancellor of the Exchequer to say to-night, that he is now going to take the course he followed three years ago when a third of the Probate Duty was given in aid of local taxation, and when the application of the amount which was to go to Scotland was not decided in the Budget but put off to the end of the Session, in order that representations might be received from the Scotch Members and Local Authorities on the subject. I think it will be in the recollection of the House, and that the Chancellor of the Exchequer will allow that the distribution of the money in the first instance was not very satisfactory, and that it had to be re-distributed subsequently in a more effective manner. What I would press on the Chancellor of the Exchequer is that the apportionment should not be put off to a remote date, and that the responsibility for the distribution should rest with the Government. For my own part, I think the first object which it should be sought to attain, is the completion of the scheme of free elementary education in Scotland. I will not elaborate the point, but it is acknowledged by all Scotch Members here that the money has not been quite sufficient for the total freeing of elementary education in the Scotch schools.

(7.30.) Mr. ILLINGWORTH (Bradford, W.): The Chancellor of the Exchequer is to be congratulated on having faced, at any rate, if not overcome, the prejudices of the entire Party on the other side of the House, as well as of those whom they represent in the country, against the principle of free education, and on having ventured to make provision for carrying out such a scheme. Liberals have been favourable to the principle for a long time past, and it is some consolation to know that part of the proceeds of the right hon. Gentleman's overflowing Budget is going to provide free education. The Government should go further, and make the boon worthy of the acceptance of the people of this country. They are proposing to appropriate the taxpayers' money, and they should see that the control of the taxpayers is associated with that great boon. It is, I hold, an elementary principle that along with this grant there should be associated popular educational control.

(7.32.) Mr. J. STUART (Shoreditch, Hoxton): I rise to express a hope that the Chancellor of the Exchequer, when he rises to answer the questions which have been put to him, will give us some information as to when the Bill he has referred to with respect to education will come on, because it is clear that the interest of the right hon. Gentleman's Budget is concentrated on that point. It is natural that it should be so. It is a point of great national importance, and we shall look forward to the grant of free education in the country with great satisfaction. But the Bill may be of a very one-sided character, consequently the House and the country will be on the tip-toe of expectation to know what its provisions are—to know whether there is to be a great and real solution of this important question, or whether only a small portion of it is to be dealt with. Therefore, I trust the Chancellor of the Exchequer will be able to undertake to let us have his proposals before us in the course of a very few days.

*(7.33.) SIR A. ROLLIT (Islington, S.): I only rise to congratulate the right hon. Gentleman the Chancellor of the Exchequer and the Government on the proposal they have made in reference to free education, and to repudiate the suggestion of the hon. Member for Bradford that there are prejudices to any great extent to be removed on this side of the House. The country will welcome the announcement which has been made by the Chancellor of the Exchequer this evening. We have long felt free education to be a corollorary of compulsory education, and we feel satisfied that when the details are made known the Government will know how to appreciate the past services of, and deal justly with, the voluntary schools, which have done so much for the education of the country, and the loss of which might produce a reaction dangerous to all education.

(7.34.) SIR G. CAMPBELL (Kirkcaldy, &c.): If the proposal for free education in England is received in the spirit of the remarks of the hon. Member who has just sat down, and not in that of the hon. Member who spoke a little time ago from that side of the House, I think the Government will succeed in solving the difficult problem they have taken in hand, so far as Scotland is concerned. It may be more difficult in England, but, at any rate, I hope he will be successful so far as Scotland is concerned. I would support the appeal of the hon. Member for Edinburgh that the Chancellor of the Exchequer will take care to settle in due time how the money is to be spent in Scotland. The right hon. Gentleman has done Scotland justice in arranging to give her a share of this money, but I am afraid that unless he is very careful it will become a bone of contention. I have already heard different opinions expressed from different parts of Scotland, as to how the money should be appropriated; and I, therefore, hope the question will be settled in time, and will not be held over to be dealt with hurriedly at the end of the Session. I should object to the money being spent on secondary education, if that education means the teaching of Greek and Latin to the higher classes, but if it is to be devoted to teaching useful information I should be satisfied. If the Government take upon themselves the responsibility of producing a plan I hope they will be able to settle the matter satisfactorily.

(7.36.) MR. C S. PARKER (Perth): I think the Scotch Members are quite capable of discussing the application of funds of this description in a different spirit to that of dogs quarrelling over a bone. But I rise to put a question to the Chancellor of the Exchequer. I wish to know how far the granting of this money to Scotland is to be contingent on the passing of the Bill conferring free education on England? Is Scotland to wait until the English Bill has been discussed and disposed of? I do not quite see how it can be otherwise; still I think we should have early information so that we may have an opportunity of discussing what proportion of the money should go to education and what to other things.

*(7.37.) SIR J. LUBBOCK (London University): I have heard with regret some of the remarks made on both sides of the House with reference to free education. No doubt the question is full of difficulty, but I hope that when we come to consider it we shall do so with a desire for conciliation rather than to conjure up points of difference. I join in the congratulations addressed to my right hon. Friend for having introduced a simple Budget, and am glad that he has taken a prudent course in his Estimates. The announcement with reference to the rehabilitation of the gold coinage will, I am sure, be received with general satisfaction among those engaged in business; but I wish to ask the Chancellor of the Exchequer whether, in addition to restoring the gold coinage, he proposes, as I hope will be the case, also to take steps to prevent it from falling again into the present unsatisfactory condition?

(7.39.) MR. GOSCHEN: I have to express my thanks for the kind way in which hon. Members have spoken of my proposals. In briefly answering the questions which have been put, I will say that I quite foresaw—and I have had no reason to change my mind—that the fact that a certain sum of money is to be devoted to Scotland will deprive me of any peace of mind for the next few weeks. In reply to the natural curiosity of Scotch Members, I would point out that I have not said that the Government have determined the matter, but that we are not prepared to disclose the matter ; at the same time, we shall be anxious to ascertain and know the views of the Scotch people on the subject, and not only of the Scotch Members. I believe, I am sorry to say, that there is no degree of unanimity. If there had been, our case would soon come to an end. In this connection I would suggest that it is not precisely the Chancellor of the Exchequer who will have to deal with the matter, but rather the Scotch Office, through whom such inquiries ought to filter. With regard to a question as to what will be the fate of Scotland if the money does not finally go to England, all I can say is that hon. Members opposite should do their best to pass the English Free Education Bill in order that Scotland may have her share afterwards. As to when we expect to be able to introduce the Bill, that depends to a certain extent upon the House itself. The Government will see what progress is made with the Land Bill. I feel confident that we shall have no reason to complain of right hon. Gentlemen on the Front Opposition Bench with regard to delay in connection with that Bill; and I am sure that all sides of the House will feel that, while every clause ought to be adequately discussed in the case of an important measure which all the country wishes to see passed, we should further the business of the House as much as possible. There will be no delay on the part of the Government in introducing the Bill. I may say that it is not only the object, but the intense desire of the Government not to injure any schools ; and I think that any alarm that may be felt on this side of the House as to the result of the measure is entirely premature, and I hope will be entirely allayed when hon. Members see the measure. With regard to what has fallen from the right hon. Baronet the Member for the University of London, I most fervently hope that the House of Commons will rise superior to any rivalry or jealousy with regard to the question of free education. I have been asked a question with reference to the probability of the continuance of the grant of money set aside by the County Councils for technical education. Hon. Members wish to know whether they may count upon the continuance of the grant. I think they can count upon the continuance of the receipt of that grant in the same way as they can count on the continuance of the Probate Grant. Of course, no grants of the kind can be declared to be permanent, because some Government may think that altogether different arrangements ought to be made with respect to local taxation. It would, therefore, be unwise for the present or any other Government to pledge itself to the continuance of any particular form of taxation. At the same time, I think the County Councils may continue to apply this money with the same degree of confidence with which they apply other sums placed at their disposal. In answer to another question which I have been asked, I have to say that it certainly would be my wish, if time can be found, to place the gold circulation of the country upon a satisfactory footing. I have measures in preparation which will put both our coinage and currency upon a firmer basis. I will take an early opportunity, if one occurs, to make further declarations as to my views on the currency question. I think now I have answered all the questions that have been asked.

COLONEL NOLAN: What as to the educational question as affecting Ireland?

MR. GOSCHEN: Does the hon. Member mean that Ireland should stand on the same footing with England and Scotland with regard to free education? The consequence, I fear, is only too manifest in the large number of illiterate voters. I am not prepared to disclose any particular proposals; but I trust when they are disclosed they will be satisfactory.

(7.50.) MR. MUNDELLA: Sir, I should be very sorry, after the benefit which the Chancellor of the Exchequer has conferred on the community, to express anything like dissatisfaction, but I submit to him that to tie up the Education Bill with the Irish Land Bill is disappointing. To-morrow there will not be a schoolmaster or manager throughout the country but will be anxious to know what are the Government proposals. It is important that there should be ample time for their discussion; and I have no doubt that if the Bill is not in the right hon. Gentleman's pocket now, it is in some red box in his office. I know it was ready three weeks ago. There will be the greatest anxiety to know on what principle education is to be given to the people of this country, and I press upon the right hon. Gentleman that he should give us ample opportunity to consider the proposals before they are discussed.

MR. HALLEY STEWART (Lincolnshire, Spalding): I rise for the purpose of joining with my right hon. Friend in urging upon the Chancellor of the Exchequer the desirability of printing the Bill and having it read a first time. We have no desire to hurry the Second Reading stage, but the formal stage might be taken, and thus give the House and the country an opportunity of knowing what the proposals are.

*(7.57.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I think my right hon. Friend has misapprehended my right hon. Friend the Chancellor of the Exchequer. There is no desire whatever to tie up the Education Bill with the Land Bill. But it is necessary to make progress with one set of measures before entering upon another. I, however, give the House assurance that ample time will be given for the Second Reading of the Bill, before the Second Reading. We have no desire to take the country by surprise with a measure of this great importance. We shall introduce it at the earliest possible moment consistently with the progress of other business, and we shall give full information long before the Second Reading.

COLONEL NOLAN: The Chancellor of the Exchequer has said very little about Ireland. All I wish to ask is whether he will put school fees in Ireland on the same footing as they are to be put in England?

MR. GOSCHEN: Certainly, Sir.

*SIR J. LUBBOCK: The right hon. Gentleman received some weeks ago a deputation from English University Colleges asking for an increased grant. Can the right hon. Gentleman inform us what conclusion the Government have arrived at?

MR. GOSCHEN: I am scarcely in a position to state; but I will communicate with my right hon Friend.

(8.0.) MR. PICTON: I would point out to the right hon. Gentleman that it is only a question of printing the Bill, and to tie it up with the Land Bill is a sort of threat that we shall not have any information unless we do what the Government tell us. I do not think it is fair to the House or the country. Surely it is only reasonable that the Education Bill should be read a first time and printed.

(8.1.) MR. HUNTER (Aberdeen, N.): Sir, if the Government are going to give free education in England, in the amplest manner, a sum exceeding £1,900,000 would be required for England alone, while a proportionate sum would be required for Scotland—which would bring the sum far above £2,000,000, which is the amount at his disposal. The Chancellor of the Exchequer must not be misled by the somewhat artificial demonstration which has been set up in Scotland—I know not by whom—with reference to the feeling of the Scotch people on this subject. The first claim upon the money given to Scotland will be to complete the system of free education. The sum of £40,000 a year is still required for that purpose. I warn the right hon. Gentleman that we shall not listen to any proposal which does not in the first place give free education up to the Fifth and even Sixth Standards in the elementary schools. The people of Scotland, too, are unanimously agreed that something must be done for secondary and technical education, and perhaps the most urgent demand is for continuation schools in the evening. It is also absolutely necessary, if the deficiency in connection with the Scotch Universities is to be met, to say nothing of their development and growth, that some provision should be made for them. I hope that the right hon. Gentleman when he comes to deal with that part of the surplus which is to be distributed in Scotland, will remember that the Scotch people have these subjects very much at heart. He must not be deluded by these deputations from Parochial Bodies, and some Town Councils, which in no sense represent the real feeling of the electors of Scotland.

(8.3.) Mr. M. J. KENNY (Tyrone, Mid): Will the right hon. Gentleman state that he will do for Ireland, in respect of abolishing school fees, what he is going to do for England? Will he undertake definitely to abolish school fees in Ireland?

Mr. GOSCHEN: I do not know that I could pledge myself distinctly, but there is no purpose to which I would more gladly assign a portion of the surplus than for the remission of school fees in Ireland. I am scarcely in a position to say whall will be done; but the subject will, at all events, have the most benevolent consideration of the Government.

Mr. M. J. KENNY: Will the right hon. Gentleman consider it during the present Session?

Mr. GOSCHEN: If it is the general wish of the great bulk of the Irish Members, I shall endeavour to consider the subject this Session.

Mr. A. DYKE ACLAND (York, W.R., Rotherham): I listened with great satisfaction to what the right hon. Gentleman said with regard to County Councils and grants to education, but as he quite truly observed, some future Government may alter the destination of the money; and in some further scheme for intermediate and technical education those County Councils which do nothing, may have a claim made upon them by the Government to organise some scheme.

(8.5.) Mr. ROWNTREE (Scarborough): I wish to ask the Chancellor of the Exchequer if the Government cannot see their way to prevent any district being denied the benefits of technical and secondary education. It happens, I am sorry to say in many parts of the country, that towns with very considerable populations are anxious to promote further education, but have no means supplied to them for doing so under the present system. There is much dissatisfaction and disappointment in very many parts of the country on this acccount. The President of the Local Government Board introduced an Amendment into last year's Bill empowering County Councils to devote their portion of the Imperial Grant to these purposes, but I regret that many of those bodies have not availed themselves of the power, and do not intend to do so; hence it is that many of our towns have received nothing at all under these grants, and feel themselves exceedingly prejudiced by the withholding of the money. Now, the town which I represent has contributed from £600 to £800 to the fund which the County Council has received, but so far, it has not received a penny back, and apparently it will get nothing for educational purposes. I respectfully ask the Government to consider whether some Amendment may not be made in the application of this money of the coming year by which the grievances to which I have referred can be remedied.

(8.8.) Mr. SEXTON (Belfast, W.): We shall have to press for some specific information as to the intentions of the Government with regard to Ireland, so far as this New Educational Grant is concerned, before a decision is come to on Clause 3 of the Land Purchase Bill. Clause 3 provides that the moneys granted by the Imperial Parliament for the purpose of primary education in Ireland shall be technically seized and impounded for the purpose of guaranteeing the fulfilment of contracts made under the Bill—contracts in which the mass of the people of Ireland have no concern whatever. I think the right hon. Gentleman the Chancellor of the Exchequer will see the reasonableness of what I am urging. We want to make our position clear. We want to know before we assent to the hypothecation of the Primary Education Grant what chance we have of the improvement of our position in the new aspect of affairs. I may remind the hon. Gentleman of what I said last year. We, in our judgment, in Ireland, contribute double our share to the Imperial purse. The Secretary to the Treasury laughs at that. Does he think he knows more about it than Mr. Giffen, the expert? Mr. Giffen tells us that while our contribution to the Imperial purse is one-twelfth of your Revenue, our capacity to pay should be judged by the amount of amassed capital in Ireland, and in that case we ought only to contribute one-twenty-fifth. In this position we contribute one-sixth of our earnings — we, the poorest country in the world—whereas you only contribute one - twelfth Surely that gives us a powerful claim for relief. We fared very badly indeed in connection with the surplus of last year. That surplus amounted to £3,500,000, for the right hon. Gentleman was in a more prosperous position than he now is. That surplus arose mainly for the Spirit Duty, of which we contribute one-sixth. Well, we ought at least to have received £450,000 out of last year's surplus. We got, as a fact, a benefit of perhaps £100,000 by the reduction of the Tea Duty, and we had £4,000 or £5,000 from the reduction of the duty on currants; the truth is, we got one thirty-fifth instead of a twelfth, which it is admitted we were entitled to, although we claim we ought to have had one-sixth—of course the right hon. Gentleman will ride off on the question of light railways and relief works. But we assert that that question ought not to be taken into consideration in connection with the finance of any particular year. It belongs rather to an historical examination of the connection of Ireland with England, and such an examination would show that we are entitled to a good deal more than we have yet received. I now ask what is to be our fate this year? The Revenue of the year arises in great measure from the consumption of an article in respect of which we contribute a large share of the Imperial Revenue, and I do trust the Chancellor of the Exchequer will do us justice in this matter.

(8.14.) Mr. GOSCHEN: Yes, I assure the hon. Member this matter shall receive my most careful consideration. I thought I had conveyed that in my speech. I do not think he has made a very fair statement as to what has been done for Ireland, for my surpluses of last year and this year have been very largely diminished by the money granted—and cheerfully granted—to Ireland for relief works. If Ireland contributes, as the hon. Member thinks, more than her share to the Imperial Revenue, she also receives back largely in excess of what she is entitled to.

Mr. M. J. KENNY: In one year perhaps.

Mr. GOSCHEN: I think that if the figures are investigated, the hon. Member will see that this does not apply to one special year merely. I have always endeavoured to treat Ireland with perfect fairness. May I point out that England was responsible for more of the excess revenue on spirits than either Scotland or Ireland?

Mr. SEXTON: Not very much more.

Mr. GOSCHEN: England 9 per cent. and Ireland 7½ per cent. I can only assure hon. Gentlemen that Ireland shall receive her fair share out of the surplus, and from that position I do not intend to budge one iota.

(8.17.) Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Jackson,*)—put, and agreed to.

Committee report Progress; to sit again To-morrow.

LONDON (CITY) TRIAL OF CIVIL CAUSES BILL.—(No. 269.)

COMMITTEE. THIRD READING.

Considered in Committee, and reported, without Amendment.

(8.21.) The ATTORNEY GENERAL (Sir R. Webster, Isle of Wight): I trust the House will permit the Bill now to be read a third time.

Motion made, and Question proposed, "That the Bill be now read the third time."

Mr. A. O'CONNOR (Donegal, E.): Does the Attorney General mean this Bill to provide for a permanent or merely for a temporary arrangement?

Sir R. WEBSTER: I do not contemplate it will be a permanent arrangement. The object of the Bill is merely to remove a doubt, more than once expressed, as to the power of the Judges to sit in the City.

Mr. CONYBEARE (Cornwall, Camborne): I think we ought to have fuller explanations.

(8.23.) Mr. M. J. KENNY (Tyrone, Mid): There was an Amendment on the Paper which proposed to limit the duration of the Bill. The learned Attorney General says he does not contemplate a permanent arrangement; did he give an undertaking it should be temporary before the Amendment was withdrawn?

Sir. R. WEBSTER: No undertaking was asked for. The hon. Member merely intimated that he did not intend to press it.

(8.24.) Mr. KNOX (Cavan, W.): If the Bill is only to be temporary, it will be necessary for the Government to provide additional accommodation at the Law Courts. There are serious objections on the score of health to the present arrangement. I believe a ready consent was given to the Second Reading of this Bill on the understanding that it should only be a temporary measure.

(8.25.) Sir R. WEBSTER: May I point out that this Bill gives no fresh powers at all. It simply removes a doubt as to existing powers.

Question put, and agreed to.

Bill read the third time, and passed.

MAIL SHIPS BILL.—(No. 163.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Amendment proposed,

In Clause 8, page 7, line 10, after "sessions," insert "In Scotland such person may appeal in manner provided by 'The Summary Prosecutions Appeals (Scotland) Act, 1875.'"—(*Sir J. Fergusson.*)

(8.26.) Mr. CONYBEARE (Cornwall, Camborne): Is this a fresh Amendment put down by the Government? If so, we ought to have some explanation.

*The UNDER SECRETARY of STATE for FOREIGN AFFAIRS (Sir J. Fergusson, Manchester, N.E.): The Amendments have been on the Paper a fortnight.

Mr. KNOX (Cavan, W.): What is the meaning of Clause 3 of this Bill? If——

The CHAIRMAN: Order, order! We are not now discussing Clause 3.

Amendment agreed to.

Other Amendments made.

Amendment proposed, in Clause 9, pages 7 and 8, leave out Sub-sections (2) and (4).—(*Sir J. Fergusson.*)

Mr. CONYBEARE: The right hon. Gentleman may say that the Amendments have been on the Paper some days, but that does not do away with the necessity for further explanations.

*(8.30.) Sir J. FERGUSSON: I am always willing to give any explanations required. This Amendment has been introduced, because the present powers possessed by the Post Office are considered to be adequate to fulfil the Convention.

Mr. CONYBEARE: There is one matter to which I should like to draw attention. Within the last few days, there has been a robbery of mails from one of the boats running between Dover and Calais, and I should like to know if the right hon. Gentleman will take steps to ensure that greater precautions are taken, so as to avoid the possibility of some robberies in the future.

The CHAIRMAN: Order, order! That has nothing to do with the subject.

Mr. CONYBEARE: It seems to me very important that such steps should be taken.

Amendment agreed to.

Amendment proposed, in Clause 10, page 8, line 43, at end, insert "The expression 'subsidy' includes a payment for the performance of a contract."—(*Sir J. Fergusson.*)

(8.34.) MR. M. J. KENNY (Tyrone, Mid): What is the meaning of this Amendment?

*SIR J. FERGUSSON: The point is this: Some of the contracts provide for a fixed payment for the service done, and others provide for payment according to the weight of the mails carried. That is the case with the Atlantic steamers. Hence the necessity for this change.

(8.35.) MR. M. J. KENNY: Why not have a uniform system?

*SIR J. FERGUSSON: That might be a proper thing to consider when the House has before it the question of the mail contracts.

(8.36.) MR. CONYBEARE: Would it be in order for me on this Amendment to raise the question as to the mail robberies?

THE CHAIRMAN: No.

Amendment agreed to.

Bill reported; as amended, to be considered to-morrow at Two of the clock.

PRESUMPTION OF LIFE LIMITATION (SCOTLAND) BILL.—(No. 248.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

(9.9.) Clause 1 and 2 agreed to.

Clause 3.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. M. J. KENNY (Tyrone, Mid): I would like to receive an explanation from the Lord Advocate as to the object of the Bill. The Bill is very obscure, and I think it is right an explanation should be given.

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I shall be happy to offer an explanation, but I am afraid it will be as obscure to the hon. and learned Gentleman as he thinks the Bill is. There are in Scotland, estates in fee and in life rent, and in some instances the death of one person might involve the estate which was in fee becoming burdened with a life rent. I am certain the hon. and learned Gentleman follows me up to this point. There are cases in which it is desirable to provide in an Act for the presumption of life in cases which are not provided for under the Acts of 1881. There are some other cases which, if I went into an explanation, would involve a similarly lucid statement, and, therefore, probably I may be dispensed from the necessity of inflicting it upon the Committee. I have only to add that the Bill is entirely approved by the right hon. and learned Gentleman the Member for Clackmannan, and the only Amendments standing in my name are the effect of an arrangement come to by the hon. and learned Member for the town of Elgin (Mr. Asher).

Amendments made.

Clause 3 and remaining clauses agreed to.

Bill reported; as amended, to be considered to-morrow at Two of the clock.

SUMMARY JURISDICTION (YOUTHFUL OFFENDERS) BILL.—(No. 194.)

SECOND READING.

Order for Second Reading read.

(9.16.) THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I think it will not be necessary for me to detain the House for any long time in moving the Second Reading of this Bill. As the House is aware for many years past the principal, or a great, object in the mind of every person who desires the reform of the Criminal Law has been to find some means whereby it may be possible to avoid the necessity of sending juvenile offenders to prison and the contamination that follows from mingling with the *habitués* of our prisons. A taint attaches to young creatures in the beginning of their lives which is often never removed. I do not like to trouble the House now with many figures, but some of the figures are interesting. In 1871, during 12 months, there were committed to prison 1,467 boys and girls under 12 years of age, and of boys and girls between the ages of 12 and 16 there were 7,510.

MR. PICKERSGILL (Bethnal Green, S.W.): Can the right hon. Gentleman give us the figures distinguishing the sexes?

MR. MATTHEWS: I can do so if the hon. Gentleman thinks it is material. In 1871 there were committed to prison 1,341 boys and 126 girls under 12 years of age, and 6,480 boys and 1,030 girls between the ages of 12 and 16. This gives a total of 8,977 persons under 16 years of age committed to prison during the year.

An hon. MEMBER: And to reformatories?

MR. MATTHEWS: I am speaking only of those sent to prison. At that time the only cases where the alternative of whipping could be resorted to, were cases of simple larceny, placing obstructions on railway lines, and throwing stones at railway carriages. This large amount of juvenile imprisonment naturally attracted attention, and in 1879 the Summary Jurisdiction Act was passed, which largely extends the number of cases in which whipping can be resorted to for male juvenile offenders, instead of imprisonment. A larger list of offences under the Act had attached to them the alternative punishment of whipping; and not to mention all these were included those I have mentioned—larceny from the person, larceny by clerks or embezzlement, receiving stolen goods, aiding and abetting larceny, and offences under the Post Office. This Act largely diminished the number of juvenile prisoners. The numbers in the year ending March 31, 1879, were for children under 12 years 667 boys and 53 girls, and for children between 12 and 16 years 5,270 boys and 820 girls; altogether a total of 6,810 prisoners under 16. Besides this Act the Home Office, while the right hon. Gentleman the Member for Derby was at the head of it, introduced a course of administration which tended in the same direction. In the year 1880 the Home Secretary addressed a circular to all the Chairmen of Quarter Sessions and the Recorders of Boroughs, directing them to suggest some means by which the imprisonment of young children could be prevented. The right hon. Gentleman the Member for Derby had always entertained a very strong feeling on this subject. The replies from these Courts of Summary Jurisdiction have been put before the House in the form of a Return, and so far as I have examined this Return, with almost unanimity, with only one or two exceptions, the replies to this circular suggest as alternatives, partly the whipping of boys and partly the exercise of some remedy against the parent of the juvenile offender. In consequence of these opinions, the right hon. Gentleman initiated a course of administrative action which has proved highly useful. The right hon. Gentleman the Member for Derby required the governors of prisons to report to the Home Office every case of young children under 14 years in prison; and then inquiries were addressed to the Magistrates as to how they came to have committed such young offenders to prison; in many cases remonstrances were addressed to the Magistrates and sometimes, though rarely, the sentences were in part remitted. So without interfering with judicial discretion and action the administrative action of the Home Office has been steadily to decrease the number of juvenile offenders in prison. On the other hand Magistrates, when inquiry has been made, have said, "This was a very bad case, this was a very naughty boy, and we should have been delighted if we could have inflicted the punishment of whipping instead of imprisonment, but the law does not allow that and it was too serious a case to allow to go unpunished." I believe the right hon. Gentleman the Member for Derby intended to remedy the law in the direction of the present Bill, but I do not think he carried his intentions so far as to introduce a Bill. One reason for delay was because the system of reformatory and industrial schools, which offers an alternative to prolonged imprisonment, was then under the consideration of a Commission. The Report of that Commission has since been issued, and, in consequence, I introduced three years ago a Bill to amend the reformatory system, and two clauses which are now embodied in a separate Bill. I gave Courts of Summary Jurisdiction the alternative of sending a child to a reformatory or to an industrial school, or they can have recourse to the punishments provided under the present Bill. The House of Lords suggested, at the instance of Lord Herschell, that these two clauses should be put into a Bill by themselves; and I, having adopted this suggestion, the clauses are now before Parliament for the third time. Twice they have passed the House of Lords, where they have met with the approval of most experienced able lawyers, Lord Herschell approving them with slight modification. I ought to say before I go further that a great change for the better has been the consequence of the legislation of 1879 and of the administrative action of the Home Office, which has been going on for the last 10 years. In the year 1890 there were only 237 boys and 16 girls under 12 years of age committed to prison, and there were only 3,620 boys and 493 girls between the ages of 12 and 16 who were committed to prison. But this vast improvement is not improvement enough. It is still very distressing to think that over 4,000 juveniles are yet annually sent to prison. But there is no alternative punishment for boys, except corporal punishment, and therefore the Bill proposes that in all trivial offences which can be summarily punished the Court may adjudge the offender, if a male, to be whipped. That whipping, by a subsequent sub-section, is limited to whipping with a birch rod, by a warder or constable, in the presence of the governor of the prison or of some other high official, and in the presence of the parent, if desired. The number of strokes is also limited. These are details which may be modified in Committee. Then as to the alternative of a fine. It is idle to attempt to punish a boy by the infliction of a fine; he probably has no money, and then comes in the alternative of imprisonment—the very thing we desire to avoid. The only alternative, which is also embodied in the Report of the Commission, is to punish the parent, who is in many cases the person really at fault. The Bill provides that the parent may be ordered either to pay compensation to the person injured, or to pay a fine, or to give security for the good behaviour of the offender. I take the case of throwing stones at railway trains. Very often it is not a criminal act; it is an act of boyish mischief for which a whipping is the best cure. But if the boy throws stones at a steamboat he must be either fined or imprisoned. Is there any sense in that? It seems to be ridiculous to order a whipping in the one case and not in the other. Take another case. The offenders for which, under the Summary Jurisdiction Act, whipping may be inflicted are not all such as I should have selected—cases of larceny, embezzlement, and thieving—but I take the cases of stealing fruit and cruelty to animals—often mere boyish boisterousness. What punishment ought to be inflicted in such cases? Whipping is, I think, more effectual and more humane. I have had remonstrances from Magistrates at Hastings, where fruit-stealing is of frequent occurrence, and where boys do an enormous amount of mischief. Fruit growers complain bitterly of the amount of mischief in the aggregate inflicted by these boyish depredations. The Magistrates feel compelled to administer some punishment, and they have no alternative but to send the boys to prison. I deeply regret that these boys should be sent to gaol and stamped for life as gaol birds because they got over a wall to pluck fruit. Take offences under the Vagrants Act—playing pitch-and-toss, for instance, on the highways, in which so many idle and naughty boys waste their time. It seems to me most distressing that a boy should be sent to prison for such an offence as that. Whipping appears to me the best form of punishment for such an offence. I do not know that I need occupy more time——

Mr. ROWNTREE (Scarborough): Has the right hon. Gentleman any explanation of the words, "with or without conviction"?

Mr. MATTHEWS: This is a discretion to be vested in the Magistrates, and similar to that they exercise under the Industrial Schools Act. If you attempt to draw a hard and fast line in regard to these punishments, you may do great injustice. Nobody can adjust the degree of criminality in such offences, but the Court who tries the case. You must trust the discretion of the Court; if you cannot do so then substitute another Court. What we intend is, that a boy having, say, plucked an apple from another person's tree should not therefore be placed under the stigma of having committed larceny, that he shall not throughout his life have the record against him that he was convicted and punished for larceny. I heartily commend the Bill to the House. I think it will be a valuable improvement in our Summary Jurisdiction for juvenile offenders, and be the means of preventing many boys, not to speak of girls, passing into that wretched class—habitual criminals. When a child passes into that class the gates of hope close behind him, and the social reformer drops his hands in despair at the spectacle that confronts him.

Motion made, and Question proposed. "That the Bill be now read a second time."—(*Mr. Matthews.*)

(9.35.) MR. LABOUCHERE (Northampton): I think the right hon. Gentleman has not quite proved his case. He says it is most undesirable that the taint of imprisonment should be imposed upon a lad which will last to old age for some trivial offence such as stealing apples or playing at pitch-and-toss in the streets, and I quite agree with the right hon. Gentleman. But I am not at all certain whether the fact of the lad having been condemned by a Magistrate to be flogged —and he can be so punished up to the age of 16—will, becoming known in the neighbourhood, cling to that boy more than the fact of his having been imprisoned for four or five days. [*Cries of* "No, no!"] It is a matter of opinion, I think it would. It is proposed that the punishment of flogging shall be inflicted for playing pitch-and-toss in the streets. But we have heard a great deal lately about gambling in high places, and why is a child to be flogged for playing pitch-and-toss, an undesirable amusement no doubt but not a criminal offence, when grown-up persons are allowed in their homes or clubs to gamble for large sums of money? What will be the feelings of a boy so punished when he goes to a race-course and sees a betting ring established for betting to be carried on publicly and police to guard the ring to see that the betting is carried on fairly? The boy sees this, and yet if he plays pitch-and-toss close by or on his way home he is then taken into custody and flogged by order of the Magistrates. I do not know how it may have been with the right hon. Gentleman, but I certainly as a boy have played pitch-and-toss hundreds of times. Stealing apples, too, no doubt, is very wrong, but you can stop these youthful misdeeds by bringing the force of public opinion to check them. The right hon. Gentleman knows that in Germany trees line the roads laden with apples and plums, yet no fruit is stolen because public opinion is strongly against it. There is a fine for the offence, but there is no necessity for the punishment of flogging to check the offence. If a boy is perpetually stealing fruit or making himself a nuisance, playing pitch-and-toss in the streets, probably that is the fault of the parents, and I should like to see a small fine inflicted on the parent, and then the parent would exercise some sort of domestic discipline over his boy and correct his bad habits

MR. MATTHEWS: The Bill provides that.

MR. LABOUCHERE: Yes, but it gives an alternative to the Magistrate, and we know what Magistrates are—that they almost always apply the harshest construction of the law. Let the right hon. Gentleman strike out this flogging provision from his Bill and I will vote for the Bill with the greatest pleasure, but I cannot support this giving Magistrates the alternative of inflicting punishment by flogging.

(9.40.) MR. PICKERSGILL: I regret that the right hon. Gentleman should grudge the time spent on this Bill, and apparently resent the interference of hon. Members interested in the subject. It is an important measure, and remarkable in that, as the right hon. Gentleman has himself stated, it introduces considerable novelty into our criminal jurisprudence, giving Magistrates larger discretion. The Bill naturally divides itself into two parts. First, it attempts to enforce parental responsibility. That is a good principle, and if the Bill were confined to that, I should not vote against the Second Reading. Even with regard to the enforcement of parental responsibility in the way proposed by the Bill I think very considerable hardship might be inflicted on perfectly innocent persons. It is provided in the Bill in regard to any offence committed by a boy under 16, the parent may be included in the summons, apparently without any *primâ facie* reason to believe that he has been guilty of fault or neglect, so that unless great precautions are taken and the section is more carefully guarded, a very great hardship may be inflicted upon poor persons, who will be taken from their work and compelled to attend the Court, certainly for a day, and possibly in London, where the pressure upon the Courts is great, for more than one day. However, if the Bill were limited to the enforcement of parental responsibility, I think the right hon. Gentleman might fairly ask the House to pass it without much discussion. But, as the right hon. Gentleman has correctly inferred, my opposition is based on those provisions in the Bill which increase the number of offences for which the punishment of flogging may be inflicted. What is it really that the Bill proposes to do? At present the punishment of flogging may be inflicted on young persons up to the age of 14, and this Bill proposes to raise the age from 14 to 16. That in itself is a very considerable and important change. In the second place, boys under the age of 14 may, as they may under the existing law, be punished with whipping — but with whipping only — in cases specially considered and provided for. The right hon. Gentleman himself stated in the course of his remarks that the evil of imprisonment of young persons, such as it is, has been very considerably remedied in recent years, for he has stated that a large number of additional cases have within the last decade been made punishable without imprisonment. Now, my point is this. That whether the House approves or disapproves of whipping as a means of punishment, at all events, it ought carefully to consider each particular case before it assigns that particular punishment to an offence. Again, when the right hon. Gentleman said there was no alternative to whipping, he rather cut away the ground from his own feet in this position, by stating that the action of the Home Office during the last few years had very considerably diminished the number of cases in which children have been committed to prison. Again, how does his argument apply to girls? The right hon. Gentleman will not have the audacity to suggest the whipping of girls of 16; and in regard to girls, though I admit the number of offenders is not so large as in the case of boys, so far no alternative has been provided. Then, again, how is Scotland to get along without this alternative? Now, if I may refer to it for a moment, the position of Scotland under this Bill is very peculiar, and I confess I do not understand the draftsmanship of the Bill in regard to Scotland. It is provided in the 1st section that a male offender shall be whipped, and Scotland appears to be included within the enactment of this section. But then we come to Sub-section 4, where at the end it is provided that this sub-section shall not apply to Scotland, so I submit Scotland is really excluded from this Bill. Now, am I surprised that Scotland should be excluded, for I venture to think that only by excluding Scotland could the right hon. Gentleman get his Bill through, for as everybody knows the Scottish people have a strong feeling against the infliction of corporal punishment. I object to corporal punishment so far as this, that I do not regard it as an effectual preventative of crime, and I submit that the result of experience does not show that corporal punishment does prevent or diminish crime. It has sometimes been said that garrotting in London some years ago was stopped by the passing of the Act inflicting corporal punishment upon persons convicted of garrotting. But again and again has it been shown in this House most clearly, and I have shown by chapter and verse, that garrotting had materially diminished before the Flogging Act came into operation at all. Garrotting in London was suppressed by the greater activity of the police, and not by the Flogging Act. I object to flogging, not so much in the interest of the person flogged as because I believe it has the most brutalising effect on everybody concerned in the infliction of the punishment. It is curious that at this time the Home Secretary should propose to extend the punishment of flogging to young men of 16. We know that in former years the punishment was resorted to in our public schools for young men of that age, or even older. I need scarcely remind hon. Gentlemen that flogging in our public schools has been reduced to narrow limits of late years, and that it is, therefore, a retrograde step for the Home Secretary to get up and say that that punishment should be inflicted for such an offence as playing pitch-and-toss. I cannot but think, having regard to recent disclosures, that the right hon. Gentleman was singularly maladroit in the reference he made to this venial form of gambling. I do not wish to go so far as the hon. Member for Northampton in his strictures on the right hon. Gentleman's proposals, but I think it would be a mistake to give this enormous power to Magistrates, who in a certain description of cases are actuated by class feeling, whatever may be said to the contrary. I do not desire to detain the House any further, but, for the reasons I have given, I propose to take a Division on the Second Reading.

*(9.53.) MR. WEBB (Waterford, W.): I desire to support the remarks of the hon. Gentleman who has just sat down. I must say I think the Home Secretary has made a mistake in not being a little more explicit in the title of his Bill. When a Bill proposes to enable the Magistrates to inflict the punishment of flogging there should be something on the face of the measure to say so. It should not be left to the chance of a Member going out into the Lobby to obtain a copy of the Bill, for him to become aware of the great change proposed. I believe that this punishment of flogging is a brutalising one, and that in most cases where it is believed to have a beneficial effect the improvement could be traced to causes other than this punishment. When the right hon. Gentleman says that it is less brutalising to flog a boy than to imprison him he makes a statement which almost takes away one's breath. I cannot imagine anything fixing a greater stigma upon a young child than his having been publicly flogged in prison, and I do not think anyone would be found to advocate flogging in this House if the punishment could in any way be inflicted on the children of the upper classes. The right hon. Gentleman said that it would be right to punish in this way idle boys found playing pitch-and-toss in the streets. Perhaps pitch-and-toss is more innocent than the gambling that is carried on by the upper classes of society. These poor boys often have no place but the streets in which to amuse themselves, and even if they do fall into practices that are regrettable we have no right to say that they shall be flogged. When I look at the possibility of a Bill like this being applied to Ireland, where the Magistrates are so entirely out of sympathy with the mass of the people, I do not like to think of the consequences. In that country during the past few years we have seen children brought up and punished heavily for hissing or cheering, or indulging in what the police termed a humbugging sort of a smile. The Home Secretary has spoken of the bad influence of gaols upon children; but I cannot accept that as an argument in favour of the principle of the Bill. It is not an argument for rendering our punishments more barbarous; but an argument against our present prison system, and one which goes to show that we should devote more of our time to that subject, for I can conceive nothing more discreditable to a country like this than that the means you take to make people better really have the effect of making them worse. For these and many other reasons, I hope the House will reject the Bill.

*(10.0.) SIR R. FOWLER (London): For my part, I shall certainly support the Second Reading of the Bill. As a Magistrate, I have frequently had boys brought before me for offences which I may characterise as of a heartless description. Boys have been brought up for robbing parents. One has, perhaps, robbed a mother, a poor creature to whom a shilling means a great deal. He has, perhaps, stolen from her all she had. What is to be done with him? The hon. Member opposite says flogging is more demoralising than sending the boy to prison, but I do not agree with him; and in cases such as I have mentioned I have often remanded a boy for eight days (which is the longest period for which a prisoner can be remanded) in

order that a punishment should be inflicted without actually committing to prison, which would blacken the lad's character for life. I believe it would be a relief to all who have to administer the law if in cases of this kind a lad could be sentenced to be whipped instead of being sent to prison. As to the demoralising character of the punishment, I have heard it said of Dr. Keate, of Eton, that he has been known to boast of having flogged half the aristocracy of England. Well, if that is so, I do not think boys of the lower classes would feel it as degrading to be whipped as the hon. Gentleman who last spoke seems to think. If you think the Magistrates of the country should not be entrusted with these powers, and are a body deserving condemnation, that is a much larger question, and one which ought to be dealt with on a different occasion.

*(10.4.) SIR WALTER FOSTER (Derby, Ilkeston): The title of this Bill is hardly a sufficiently clear definition of what the measure aims at doing. If the Government had called it "The Flogging of Young Persons Bill," I think it would have excited much more attention than it has done, both in this House and outside. I feel very strongly on this question. One of the first duties I had to perform for the constituency I now represent, was that of bringing before the House a case in which the child of one of my constituents was brutally flogged. He received eight strokes with the birch, and a few days afterwards, when I saw him, his back was scored and torn with the severity of the punishment. That case created a great impression on my mind; and though this Bill may be made to raise the age of children who may be flogged, I think that punishment too severe, and that it will have a brutalising effect on those who administer it. The hon. Baronet opposite has referred to the wide application of the rod in certain public schools; but from what we know of the aristocracy, to whom he referred as educated at those schools, I do not think that their conduct is such as to very highly commend the character of their bringing up. If flogging were a method of improving the morals of that class generally, we ought to have a better result than we see around us. But I do not think there can be any comparison drawn between the floggings of the schoolmaster and those to be administered to children for trivial offences, when they are taken before the Magistrates. I do not say that in no case should the punishment of flogging ever be administered; but I think it should be very exceptional. Under this Bill, however, it will be commonly resorted to by the Magistrates, as a deterrent against offences in the case of boys, instead of trying other methods of bringing boys to a healthy state of mind. I would point out that flogging is discouraged in the elementary schools of the country, and has been banished from the Services, and, therefore, I think we ought to guard the Statute Book from a further introduction of the punishment. I believe that many a child who, under other circumstances, could be persuaded to lead a better course of life, and to avoid offences against the law, under this brutal punishment will become callous. I believe that a more tender treatment of juvenile offenders would be productive of better results. It is difficult to measure the effect of 10 or 12 strokes on the tender skin of a young person. It varies very often with the individual child, and you have to take a number of considerations into your judgment before deciding upon the administration of such punishment. The schoolmaster differs from the Magistrate in this respect. He knows the individual characteristics of the child to be punished, whereas the Magistrate may never have seen the culprit before, and may be totally unacquainted with his nervous system or physical characteristics. The parallel drawn, therefore, between the schoolmaster and the Court of Summary Jurisdiction is not a fair one. Even if it were, I think we ought to endeavour to bring about a more humane system of punishment than flogging.

(10.10.) MR. A. O'CONNOR (Donegal, E.): If all the Magistrates of the country were like the hon. Baronet opposite few of us would hesitate to increase their discretionary power in the manner proposed in the Bill, but unfortunately a large number of the Magistrates of this country are very different to the hon. Baronet. It is not very many years ago since a Magistrate in Cornwall sent a little boy to prison, because he was found playing at marbles during Church hours on Sunday. This Magistrate might be watched in other parts of the country; and when you consider the wide-reaching scope of the words in this Bill, I think the Home Secretary himself will admit that what he is proposing now is a very serious matter. The Home Secretary is responsible for the administration of the prisons, and yet, speaking in his capacity as Minister, with all the solemnity of tone of which he is master, on an occasion on which he had to deal with this very matter, he told the House of Commons that when once a child was sent to prison he must abandon all hope. That very phrase is eloquent of the brutal, I might almost say infamous, prison system that obtains in this country. There is room for amendment, but I would venture to suggest it is not in the direction suggested in the Bill. The measure itself appears to me very badly drafted. It says that where a juvenile offender is proved before a Court of Summary Jurisdiction to have committed an offence for which it is liable to conviction, the Court may without prejudice to its other powers do any one or more of several other things. If we interpret that under the Act of 1889, we find that the Bill does not apply to Scotland, and we find, further, that it gives a single Justice power to convict or not as he chooses, and if he convicts to exercise his full power of punishing under the existing law, and over and above that to adjudge the offender to be whipped in any case, and besides that to inflict a fine on the parent in any case, and to order the parent to pay damages to the extent of £5 or any sum below, and, more than that, to order the parent to give security for the good behaviour of the child. I say that is a most extraordinary proposal. To trust a Magistrate, such as that in Cornwall whom I have mentioned, who thought it a reasonable thing to send a small boy to prison because he played marbles on the Sunday during the hours of Divine service—to entrust such a man as that with the power, over and above those he already possesses, of ordering an offender to be whipped, of fining the parents and requiring them to become sureties for the good behaviour of the offender, is a thing which will require a great amount of justification at the hands of the Home Secretary. This Bill, though it refers to Scotland, could not really be enforced there, because it is confined to England and Wales. I base my objection to the Bill on the ground that, though there may be cases in which whipping is desirable, still there should not be power conferred upon Justices to inflict corporal punishment wherever they are able to sentence under the existing law. I do not join in the denunciation of whipping. In cases of violent assaults the criminal is probably best dealt with by whipping; there are certain offenders who do not understand anything but corporal punishment. Still the power to be conferred upon Justices by this Bill is one which ought to be conferred only on persons who can be trusted to exercise it with very great discretion. This Bill presents many objectionable points, and I shall oppose it in almost every line.

(10.20.) MR. CONYBEARE (Cornwall, Camborne): I join in opposing the Bill as it stands, while admitting that there are some provisions in it which are not to be altogether condemned. The broad power proposed to be given to Magistrates for the infliction of corporal punishment ought not to be sanctioned by the House without grave consideration. In Cornwall, for example, some Magistrates have frequently shown an utter disregard of humane feeling in dealing with young offenders, and often for very trivial offences very heavy punishments have been inflicted. It is not desirable, therefore, to place in their hands a greater power of punishment than they already possess. Indeed, I should prefer to see their powers curtailed rather than extended. It appears to me that, under the present system, a grave necessity exists for a re-classification of offences so far as they are committed by juvenile offenders. Would it not be possible to include provisions which would tend, if not to a general reform of the law applicable to juvenile offenders, at least to a mitigation of the injuries which are liable to be inflicted by the Magistrates under the

Bill? The Home Secretary admitted that there are a number of offences which are not really criminal—such, for instance, as stealing an apple, throwing stones at steamboats and trains. Surely offences of a purely mischievous and thoughtless character ought to be dealt with in a different manner from offences which betray something like a criminal intent. Under this Bill it would be within the discretion of the most stupid, blundering Magistrate to sentence a boy to be whipped for a purely idle, mischevious freak, without having had an intention to do any wrong. I contend that the House ought to carefully limit the discretion given to the Magistrates dealing with such offences. A line should be drawn between the mischievous freak and the graver offences showing criminal intent; and in this connection I would propose that, in all circumstances, before a boy is ordered to be sentenced or whipped, he should first receive a caution, and where offences resulting in loss or injury can be rectified by a money payment, the parent should be fined or ordered to pay compensation. In cases of a more criminal character, however, I would not object to the infliction of a whipping. The more corporal punishment is resorted to, the more will it deaden the moral sense of those punished, and strengthen in them the lower feelings of humanity. There are, however, some cases in which it appears to be almost the only punishment that can be conveniently suggested; and in such cases there ought to be a greater check on the exercise of magisterial discretion than any that is provided by this Bill. The Royal Commission in 1886 limited punishment by whipping to boys under 14, but the Bill raises the age to 16, and some explanation of that change ought to be given. I should like also to draw the attention of the right hon. Gentleman to a passage in the Report of the Royal Commission as to the desirability of checking the undue and unlimited discretion conferred upon Magistrates. It is on page 12, the passage to which I refer—

> "We ought to be allowed to divide the convicted cases into two classes—one for serious, and one for trivial offences. Many of the latter might fairly be transferred to the heading, 'doing well.'"

Mr. Conybeare

That, of course, refers to the conduct of the offenders who have been placed in reformatories. I am quite certain that the same principle should be applied to cases of idle freak and grave criminal intent. That can only be done by securing that the Magistrates have not unrestrained authority to inflict whipping.

*(10.35.) MR. S. HOARE (Norwich): I do not know whether there is an intention to oppose the Second Reading of this Bill, certainly I shall give it my support as a County Magistrate, one of those apparently who have not the confidence of the hon. Member for Camborne. I can assure hon. Members that there is no desire on the part of County Magistrates to inflict punishment upon youthful offenders. I did what I could to assist legislation in the passing of the First Offenders Act, and have done my best to prevent youthful offenders being treated as criminals. There are questions that may arise in regard to whipping, which may well be left for consideration in Committee; but there are other parts of the Bill I consider are of not less importance. Take the provision that permits the infliction of a fine upon a parent of a sum not exceeding 20s. That I take to be a most useful provision. Again and again I have wished, when it has fallen to my lot as a Magistrate to have youthful offenders before me, that I had authority to punish the parent instead of the child. The hon. Member for Camborne has, no doubt, studied the question, and he thinks that Magistrates do not take the care they ought to take in such cases; but if I may make a personal allusion, I may say that it has been my constant desire to prevent young offenders being sent to prison, and I have striven for such legislation as this. Only to-day I have been trying to get a girl into a home instead of having her sent to prison, whence she would emerge branded for life as a criminal. I sent my emissary to see the girl's parents, and the good woman whom I employed was warned against personal violence from the mother, and the father did all he could to turn her out of the house. Well, the girl is safe in a home to-night and is not in gaol, and I am thankful my humble efforts have been instrumental in placing

her there. But I should like in such a case as this, that the law should allow the infliction of a fine upon the parents. For this reason, and without going into the whipping question which has been more dwelt upon, and being a County Magistrate anxious to do what I can to prevent juvenile offenders becoming criminals, I heartily congratulate the right hon. Gentleman on the introduction of this Bill and cordially support the Second Reading.

*(10.38.) Sir U. KAY-SHUTTLEWORTH (Lancashire, Clitheroe): This Bill deals with a small part only of a great subject in which for many years I have taken a deep interest. In 1880 and 1881 the attention of the public and the House of Commons was much called to the subject, and my right hon. Friend (Sir W. Harcourt) appointed a Royal Commission to inquire into the whole question of juvenile offenders and the most suitable method of dealing with offences committed at a tender age. I had the honour of serving on that Royal Commission on Reformatories and Industrial Schools which reported in 1883; and if I may be allowed to make a slight digression for a moment, I may say I am sure I express a feeling shared by every Member of that Commission of disappointment that our recommendations have been so long neglected. I may particularly call the attention of Members of the present Government to this, because they, even more than their predecessors, have shown a predilection in favour of referring inquiries to Royal Commissions. It is a deep disappointment to members of a Commission, after they have spent months and even years in the investigation of a very important subject, and have come to the conclusion that legislation is urgently needed, to find that eight years go by after they have issued their Report, and there is no fruit to their labours. I hope some of the Royal Commissions appointed this year will not have similar reason to complain. The present Government, last year and the year before, introduced in the House of Lords tolerably complete measures dealing with the subjects upon which the Royal Commission reported—there was a Reformatory Bill, an Industrial Schools Bill and a Juvenile Offenders Bill. They introduced in the first year two Bills, and in the second year three, dealing with these subjects, but as yet this Session the Government have only introduced this Bill dealing with an exceedingly small part of the recommendations of the Royal Commission and in a very incomplete manner. The Commission found that there were only three modes of dealing with juvenile offences — by fine, a method often most unsuitable, in cases where the vice or fault lies in the child and not in the parent, because the punishment simply falls upon the parent; by imprisonment, and I think every Member of the House will agree that this is not a suitable punishment to be inflicted upon very young persons; and, thirdly, there is the plan of committing the child to a reformatory or industrial school for a lengthy term, generally of five years. Now, the Commissioners came to the very clear conclusion that for a very large number of juvenile offences this committal to a reformatory or industrial school for so long a term was an unsuitable and unnecessary treatment, and that it was very much better to deal with them summarily or else by a shorter term of detention. The Commission recommended detention in truant schools or in day industrial schools, for it has been found that by such detention for a few weeks or months the child is cured of his fault and makes good attendance at the ordinary schools of the country. The experiment tried at Liverpool of sending offenders to day industrial schools has been remarkably successful, and has shown that after a few weeks' detention in these schools the children go regularly to the Board Schools, and are among the best attendants there. This Bill is a mere fragment, it deals with an extremely small part of the Report of the Royal Commission. That Report covers some 74 pages, but the recommendations dealt with in this Bill are contained in about 12 lines at the bottom of one page. What is the

intention of the Home Secretary with respect to the other parts of the recommendations of the Commission? The whole matter hangs together. The right hon. Gentleman himself the other day objected to a proposal brought forward by the hon. Member for Central Sheffield dealing with one small part of the recommendations of the Commission. It was, he said, piece-meal legislation; but is not the right hon. Gentleman himself bringing forward piece-meal legislation on this very same Report? For myself, I confess I feel some difficulty about the attitude I should take up towards this Bill. I have the example of the attitude of the right hon. Gentleman towards the Bill of the hon. Member for Sheffield, when he objected to the picking out of a clause from a former Bill, and yet I know the urgency of the matter. Knowing the urgency of the question for the last 10 years, and seeing that the Commission reported on it eight years ago, I think I am justified in pressing the Home Secretary to deal with the whole subject. The Home Secretary experienced some difficulty with regard to the question last year, but that was because he imported into the Bill matter not contained in the Report of the Royal Commission. No doubt this Bill is founded to some extent upon the recommendations of the Commission, which, feeling the extreme importance of introducing alternative forms of punishment, reported in favour of giving power to order boys under 14 to be whipped, and imposing fines upon parents, or taking sureties from the parent for the good behaviour of the child. That is an important recommendation—to fine the parent instead of sending the child to an industrial or reformatory school. That a child's offence should be dealt with in suitable cases by making the parent give security for the good behaviour of the child is supported by the evidence given by men in different parts of the country who have had experience in administering the law and in the management of industrial schools. With regard to whipping, the right hon. Gentleman does not carry out the recommendations of the Royal Commission; nor has he introduced anything to specify in what particular class of cases that punishment should be applied. There ought to be discrimination in those cases, but I find none in the Bill. I quite agree that whipping in many cases is the best form of punishment for a boy—better than imprisonment or sending him for five years to an industrial school. But the Royal Commission carefully restricted this punishment, and recommended that it should not be inflicted upon any boy under 14. The House is very unwilling I am sure to inflict the punishment upon any but mere boys. Though very much disappointed that the House is not invited to deal with the whole matter, I feel a difficulty in declining to support the Bill, and I hope that when it goes into Committee alterations will be introduced, and that the Bill will be greatly improved in the directions I have indicated.

*(10.55.) THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): I am glad the right hon. Gentleman finds himself able to support the Bill, and that he has made a speech which is substantially a vigorous defence of the Bill. We have great reason to thank the right hon. Gentleman and his distinguished colleagues on the Royal Commission for their Report on this subject. It is perfectly true that they limited themselves with regard to this proposal in one respect only, and I think I can show the House that this was an extremely small limitation. It might be supposed from the speech of the right hon. Gentleman and others that this is the first time it is proposed to inflict corporal punishment upon boys between 14 and 16; but there are several clauses in the Criminal Law Consolidation Acts of 1861 under which corporal punishment can be inflicted up to the age of 16 on the discretion of Justices of Quarter Sessions. When Parliament sanctioned that, Parliament had good reason for thinking, as we have good reason for thinking now, that even up to the age of 16 it is not desirable to send a lad to prison.

*Sir U. KAY-SHUTTLEWORTH: They are all specified offences.

*Mr. STUART WORTLEY: Yes, no doubt; and there is, I admit, some ground for introducing Amendments in that direction; that is a matter well worth consideration. The House must not suppose that this Bill will give the power to any single Justice—a lay Justice sitting by himself. A Stipendiary Magistrate will have the power, but it will only be given to those Courts which are described in the Summary Jurisdiction Act as fully-constituted Courts. The right hon. Gentleman says that this is but a very small part of the entire scheme, but the magnitude of the parts is not to be measured by a superficial area of pages in the Blue Book, and among the many valuable recommendations made by the Commission those embodied in the Bill are the most valuable. There were also special recommendations relating to industrial schools, and a measure giving effect to those recommendations the Government succeeded in passing through the other House in three successive years, though, unfortunately, we have never had the opinion of this House upon it. I think my right hon. Friend the Home Secretary has done well in detaching these particular provisions from others which have proved a stumbling-block to the progress of any Bill on the subject. This Bill has been described as containing new propositions; but I would remind the House that these propositions did not originate with the Commission of 1883, but were recommended to the right hon. Gentleman the Member for Derby in reply to a circular sent round to all the Quarter Sessions throughout the country. This Bill now comes down to the House after having three times passed the criticism of the Lord Chancellor and ex-Lord Chancellor in another place, and after having gone through the ordeal of a Standing Committee of the other House, of which no less a man than Lord Herschell was Chairman. That, I think, is at least a presumptive claim to our respect. It gives effect to recommendations which have too long been unfulfilled. It is high time that we should carry still further the beneficial policy of diminishing as far as possible, even up to the age of 16, the number of juvenile committals.

(11.1.) Mr. ROWNTREE: I think there is a general agreement that the law as it stands is in urgent need of amendment, and that Magistrates are often placed in a painful position when juvenile offenders are brought before them. Still, it does seem to me very undesirable to pass such sweeping provisions as those contained in this Bill. There is, however, great jealously at the present time with regard to corporal punishment in public elementary schools, and this jealousy may possibly be increased. As the Bill stands two Magistrates in Petty Sessions may sentence a youth to be flogged, and apparently may also fine the parent, and order him to give security for the good behaviour of the offender, all without the conviction of the offender in the first instance, or without even a record of the fact. This seems to me to be a grave innovation in the law, and I hope that the Home Secretary will explain this point. I can quite understand that it is desired to prevent a slur attaching to the offender, but the slur ought to be in the offence and the fact, rather than in the record.

(11.8.) Mr. SYDNEY GEDGE (Stockport): Certainly, the disgrace should attach to the offence, not to the record of the offence, but we do know that a recorded sentence will be brought up against the offender in after life, and that legal consequences attend it. So far from this principle being an innovation in the law, it is contained in the Industrial Schools Act, and has been found most beneficial. It is thought advisable not to put a stigma of perpetual disgrace upon the offender. I think the hon. Member for Donegal looked at the Bill with rather less than his usual acumen. He will find that the proviso at the end of the 4th subsection is necessary because of the Summary Jurisdiction Interpretation Act of 1889, which else would include Scotland within the Bill. We are not creating any new offence or constituting any new Courts; but taking the

Criminal Law and Courts as we find them, are giving in the interests of the children to properly constituted Courts a new discretion to punish the child, or take the recognisances of the parent. It is a singular reason for objecting to this Bill that there are only three alternatives, when the Bill gives four more most important alternatives, besides those already existing. What the measure does is to enable a Magistrate to order the birching of a young person who has committed one of those mischievous offences which if committed by one of our own sons would be punished by us, if we are sensible men, by taking Solomon's advice and, while not sparing the child, spoiling the rod. How often does a Magistrate under the existing law get a parent to promise to give his boy a good licking, and let the boy go, on such a promise being given, knowing that a short, sharp punishment like a good thrashing would have the needful effect. I ask any Member of the House, who is a father, whether he would not prefer that his boy, even if he is 16 years old, should for certain offences receive a good thrashing than be sent to prison and have for life the stigma upon him of having been in gaol. In the interest of the boys themselves, and of parents who do not want their children to be contaminated by intercourse with criminals, I hope we shall pass the Second Reading by a very large majority, and amend any small defects there may be in the Bill when we get into Committee.

*(11.15.) MR. SHIRESS WILL (Montrose, &c.): I wish to ask the Home Secretary the meaning of the concluding words of Sub-section 4 with regard to Scotland. Under this Bill the age in regard to juvenile offences is extended to 16, and I find that under the 23rd & 24th Vict. the age in Scotland goes up to 14. As regards the age between 14 and 16 this Act is new as far as Scotland is concerned. The consequence is that, as regards children between 14 and 16, they may be whipped without any of the restrictions contained in Sub section 4. I am sure the right hon. Gentleman will be ready to remedy any defect in the Bill. I think the condition of the law of Scotland has not been considered, and I feel sure the right hon. Gentleman will see that the necessary conditions will be introduced so that no unnecessary hardship may be inflicted.

(11.18.) MR. ATHERLEY-JONES (Durham, N.W.): I cannot help thinking that, although the right hon. Gentleman in introducing this Bill has been actuated by humane motives, the measure possesses the most objectionable characteristics which any Bill of the kind could present. In the first place, I think great exception may be taken to the proposal practically to give power at the instance of an inferior police officer, and at the discretion of one Justice of the Peace, to summon a parent to appear before the tribunal for some venial offence committed by a child. I think that the power to summon parents, which, if properly exercised, may be a most proper power, should be most carefully and judiciously guarded, and that the class of offences to which it is to apply should be clearly defined. My second objection is to the barbarity of the punishment proposed to be inflicted by this Bill. It is perfectly true that punishment by whipping has been sanctioned by the Legislature in many other Acts of Parliament, but there is at present no Statute which permits so large a number of strokes as 12 to be given to a child under the age of 12 years. Under the Summary Jurisdiction Act a child charged with an indictable offence can receive only six strokes. For offences of a much less heinous character, such as bird's-nesting and trespassing in the fields, it will be competent to an individual Magistrate under this Bill to order the punishment of not less than 12 stripes, and having regard to the kind of person who administers the punishment and to the character of the offence, I think that is little short of barbarity. To allow the infliction of 18 stripes of a birch rod upon young persons above 12 years and up to the age of 16 is practically re-introducing the lash at the option of one irresponsible Magistrate. I further object to the very general way in which this power is granted to Magistrates, and I contend that the Bill shows signs of great haste and want of care in its preparation. It is open under this Bill to inflict the punishment of the birch rod upon juvenile offenders under any clause of the Summary Jurisdiction Acts, including almost every offence of the most venial character. I would suggest that the Home Secretary should give an assurance that the class of offences in respect of which the punishment of whipping may be inflicted shall be strictly defined and limited to offences involving dishonesty, and possibly also crimes of violence, and that some adequate protection shall be afforded to parents against their being vexatiously brought before the Court.

*(11.25.) MR. MILVAIN (Durham): I was rather surprised to hear an hon. Member opposite speaking as if corporal punishment were entirely alien to the spirit of the age. Hon. Members will not forget that it is only because the opportunity does not present itself this Session that I have not the honour of again introducing my Corporal Punishment Bill, which is very much wider in its powers, and the Second Reading of which was carried in this House by a majority of 68 votes one Wednesday afternoon in a previous Session. I know there was an endeavour to whip up an opposition to that Bill, but I am glad to be aware that that endeavour utterly failed. I welcome this Bill, especially for the general jurisdiction it gives to apply the birch rod to youthful offenders. I believe that many of these juvenile offenders, who commit offences for which they are brought before a Court of Summary Jurisdiction, commit them not in consequence of any evil in them so much as because of the mischief which incites them to the commission of offences. During the time my Corporal Punishment Bill was before the House, there was a general wish among Stipendiary Magistrates, Metropolitan Magistrates, and Magistrates in Borough Police Courts that the provisions of the Bill should be extended to Courts of Summary Jurisdiction, and for this reason: that up to a certain age nobody knows what to do with a youthful offender. It may be desirable to send him to a reformatory school, but unfortunately, before that can be done, under the present law it is necessary to first send him to prison, from which he will probably emerge worse than when he went in. We ought not to make him a criminal, and yet, if we avoid sending him to prison and inflict a fine, the punishment falls not upon him, but upon the poor innocent parents, who may have done their utmost to keep the boy from mischief. It appears to me that the only punishment which can be inflicted upon a boy over a certain age to bring him to a sense of what he ought to do, is one the burden of which should fall upon his own back, instead of being borne by his parents. I only regret that the age of the youthful offender is not put somewhat higher in the Bill. I do not suppose that hon. Members of this House are in sympathy with the young ruffians who stand about the corners of the streets in towns and villages and insult innocent girls who may be passing by. They are usually of the age of 16 and even older. My own belief is that, instead of sending these young roughs to gaol for a fortnight or a shorter period, they would be much more readily brought to a sense of their position by inflicting the degrading punishment of the birch rod upon their backs. Firmly believing that the general jurisdiction given to the Courts to inflict the punishment of the birch rod will have a tendency to reform these young children, I shall give my cordial support to the Second Reading of the Bill.

(11.30.) MR. J. L. GANE (Leeds, E.): I have not the sentimental objection to the kind of punishment proposed by the Bill which many persons seem to have, and I think there are very many cases in which no reasonable man would doubt that, for the sake of the young offender himself, it would be wiser and better to administer moderate corporal punishment than to send him to prison, and make a gaolbird of him. Objection has been taken to the parent being summoned before the Court when his child is charged with an offence, and to a fine being inflicted. Indeed the hon. Member spoke of the "innocent" parent, but I think that for many reasons the provision is an excellent one, for the child's misconduct may be an effect of his neglect or wrongdoing. I should like to know whether the word "parent" in such cases will include, as I think it should do, the guardian of a child. I cannot help feeling, however, that the number of strokes proposed to be given should be re-considered, for, remembering the ill-fed, poorly-clad, and wretched physical condition of many of the children who will come under the operation of the Act, 18 strokes, administered perhaps by a strong, stalwart prison warder who is not aware of the force he uses, constitute too severe a punishment, and might become torture. I hope, therefore, there will be not an extension of the punishment, as has been suggested, but rather a diminution. Personally, I may say I believe it is possible to bring up a child without corporal punishment. I believe in a parent's mental kingship, in his strong will and wise judgment for properly guiding children of tender character. Still, believing that the Bill in its intention and construction is a thoroughly good one, that it enunciates a sound principle, and that it will save many a child from being forced into criminal associations in prison and from being branded as a criminal, I shall heartily support it.

*(11.37.) MR. HOWARD VINCENT (Sheffield, Central): One reason I heartily welcome the Bill is that it will save many thoughtless young persons who may have been driven into crime for an existence from being sent to prison and given the prison taint for life. The probation of the First Offenders Act, which I had the honour of introducing, and which was passed by Parliament in 1887, has, I hope, done some good. It has, since then, been adopted in most of our colonies and in some foreign countries, but for some reason Magistrates in Great Britain have failed to put it into force as much as they might have done, for I find by the judicial statistics that, out of 170,466 persons whom they convicted in 1889 on summary process, no fewer than 90,018 were sent to prison for the first time. I believe this Bill is calculated to save many of this class from the taint of prison life, and to make them decent and useful members of society.

*(11.40.) MR. WINTERBOTHAM (Gloucester, Cirencester): I do not like to give a silent vote on this question. Very few of us who have had to exercise duties as County Magistrates but have felt the difficulty which this Bill attempts to deal with. There is a good deal to be said on both sides, though I cannot but think, after having considered the matter for a good many years, that the evil you will create by passing this Bill in its present shape will far outweigh the good which it will produce. I agree with the hon. Member for Durham that there are young people, and some old people as well, not excepting Members of Parliament, who would be better for a flogging. There are certain offences, such as brutality, cowardly assaults upon women and children, and cruelty to dumb animals, which I think many of us would like to see dealt with in that way. But there are children—and children! There are sensitive children, to whom a flogging would be a very different thing, and a far severer punishment to what it would be to children of a different character. And, besides, the House must admit there are Magistrates and Magistrates! and it cannot be denied that there are in this country among Magistrates men who have made themselves disliked and distrusted by ridiculous, arbitrary and absurd decisions. I believe that they form a very small minority of the Magistrates, but still they exist. What would be the effect in rural districts if big fellows of 16 years of age were thrashed not by their own parents, or with the consent of parents, but by policemen, at the dictation of the squire and parson, say, for stealing an apple? The Home Secretary used this very illustration of apple stealing, and I can only say that you may risk bringing the law into contempt, and destroying that confidence and respect, which is at the bottom of all obedience to the law, by flogging for a petty larceny. Hence it is that I say that this law may do a great deal more harm than good. I do not believe in thrashing for such offences as apple stealing, but I do not object to thrashing for defined offences, such as violent and cowardly assaults. But even in such cases I hold that thrashing over 12 years of age ought not to be administered ex-

cept on the order of a Court of three Magistrates. Fully admitting the evil of the present system, there is another way of dealing with young offenders, and that is to improve and enlarge our reformatory system, so that children can be sent to reformatories and industrial schools for short terms, without the necessity (as at present) of being committed to gaol first. If this Bill goes to a Division to-night I shall feel it my duty to vote against it.

(11.45.) MR. J. R. KELLY (Camberwell, N.): I should like to say one or two words with regard to this Bill. I do not understand exactly what power it is proposed to give the Court. I think it ought to be required that the parent should be present when the flogging is administered. The attendance of the parents is of paramount importance, and I do not think that a child ought to be visited with corporal punishment without the consent of the parents. The poor have the same feelings with regard to their children as we have, and it may be that the parents know that in the case of a troublesome child corporal punishment is absolutely futile. Under such circumstances, they would reasonably and properly object to the character of the punishment which is sought by this Bill to be made legal. Moreover, I think the punishment of 16 strokes is unnecessarily severe. I can understand sentences of flogging upon a totally different plan. For instance, two floggings are generally regarded as having a greater deterrent effect than one. I trust we shall have some assurance that there will be a careful definition of the punishment under the Bill. I trust we shall be assured that there will be a diminution of the strokes, at any rate, at one birching; and I hope, also, that the parents will be consulted as to whether this punishment should be inflicted upon their children or not.

(11.47.) MR. HENEAGE (Great Grimsby): I welcome this Bill because it will, to a great extent, do away with the necessity for sending young offenders to prison. I have been Chairman of Petty Sessions for 25 years, and I have found juvenile offenders the most difficult class to deal with. As to consulting the parents, in nine cases out of ten the parents of such offenders have come to me and asked whether flogging could not be given as a punishment instead of imprisonment. There are some points in the Bill to which I object strongly. The first is with reference to the summoning of the parents. I think that every parent ought to be made cognisant of the charge against the child, but should not be punished for failing to answer the summons of the Court. Again, the number of strokes prescribed in the Bill is unduly severe. The children are often in an emaciated condition, and the warders in all probability are not accustomed to inflicting such punishment, and therefore do not know the effect of their own strength. There is another point on which I hope to see an amendment. At present the Magistrate is bound to send a child to prison before the child is eligible for a reformatory. The power ought to be given to the Magistrate either to order the child to be flogged or to be sent direct to a reformatory. The first question Magistrates have to consider in dealing with questions of this sort is what is best for the child; but when they look at the Statute Book, they find they are debarred from dealing with him in the way they would wish. If they wish, for instance, to send him to a reformatory, they have to send him to prison first. I shall support the Second Reading of the Bill on the ground that it will do away with imprisonment; but unless it is very much altered in Committee, I shall vote against the Third Reading.

*(11.53.) MR. MATHER (Lancashire, S.E., Gorton): I desire to appeal to my hon. Friends to allow this Bill to go to a Second Reading. Its faults of omission and commission are obvious to both sides of the House, and there is no doubt that the Home Secretary will profit by the Debate and agree to the amendment of the measure in Committee. I think it would be a great mistake if the House

postponed legislation on this question for another year, and I earnestly hope that those who take an interest in the matter will allow the Bill to be read a second time on the understanding that the very important points raised are fully dealt with in Committee. There is one defect in the Bill to which I should like to call the right hon. Gentleman's attention. There is great hardship in the present treatment of youthful offenders taken up under the bye-laws of Local Authorities for such trivial offences as throwing orange peel or refusing to move on. Offenders of that sort are often taken to the Town Hall or prison and detained all night and treated in the same manner as common criminals. I hope an Amendment will be introduced giving the Local Authorities power to deal with such cases altogether outside the present method. I trust we shall agree to the Second Reading, and in Committee do our best to improve the measure.

(11.55.) MR. SEXTON: I wish to ask the Home Secretary whether he has made up his mind as to the application of the Bill to Ireland? Is there any evidence that the Bill is required in Ireland? Just remember how jurisdiction is exercised under the Coercion Act. Children have been sent to gaol for cheering on the highways. They have also been imprisoned for selling newspapers; and if this Bill is now passed, it may be that a Magistrate will order a boy to be flogged by a police constable for one of these offences, or he may order the parent to enter into sureties for his better behaviour and send him to prison for failing to do so. I say that if any attempt is made under the guise of social reform to confer powers of this kind to Ireland, we shall be obliged to oppose it, because it will only be making the Act a political weapon.

(11.57.) MR. J. MORLEY (Newcastle-upon-Tyne): Before a Division is taken, I must ask whether the Home Secretary will give the House an assurance that when the Bill goes into Committee he will re-consider the whipping portion? If that assurance is not given, I shall vote against the Second Reading.

Mr. Mather

(11.58.) MR. MATTHEWS: I have offered the whipping portion of the Bill to the House under the deliberate conviction that it is a good part of the Bill. In that I am borne out by every authority on the subject, and I certainly do not mean to drop that part.

MR. M. KENNY (Tyrone, Mid): Will you exclude Ireland from the Bill?

MR. MATTHEWS: I am willing to consider that.

(12.0.) The House divided:— Ayes 143; Noes 54.—(Div. List, No. 149.)

Bill read a second time.

MR. MATTHEWS: I would ask the House to allow the Bill to go to the Grand Committee on Law. A number of Amendments have been suggested which would be more conveniently considered there.

Objection taken.

Bill committed for Monday next.

GAS UNDERTAKINGS.

Return ordered—

"Relating to all authorised Gas Undertakings in the United Kingdom, other than those of Local Authorities, for the year ended the 31st day of December, 1890."—(*Sir Michael Hicks Beach.*)

GAS UNDERTAKINGS (LOCAL AUTHORITIES).

Return ordered—

"Relating to all authorised Gas Undertakings in the United Kingdom belonging to Local Authorities, for the year ended the 25th day of March, 1891."—(*Sir Michael Hicks Beach.*)

SOLDIERS' AND SAILORS' ELECTORAL DISABILITIES REMOVAL BILL.

(No. 136.)

Order for Second Reading upon Monday next read, and discharged.

Bill withdrawn.

House adjourned at a quarter after Twelve o'clock.

by Contract with H.M.'s Government. An Asterisk at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS,

Friday, 24th April, 1891.

SAT FIRST.

The Earl of Rosslyn, after the death of his father.

The Lord Byron—Took the oath.

THE DISASTER AT MANIPUR.

QUESTION—OBSERVATIONS.

*The Marquess of RIPON: My Lords, I rise for the purpose of putting a question to the noble Viscount opposite, the Secretary of State for India, of which I have given him notice privately. I am anxious to learn whether he is in a position to lay before the House any Papers he has received with reference to the recent deplorable events in Manipur? In doing so, I do not propose to express any opinion whatever upon those occurrences; but I hope your Lordships will allow me to say how very deeply I regret the sad loss of life which took place in connection with them, and especially to express my sorrow at the great loss the Government of India has sustained by the death of Mr. Quinton, the late Chief Commissioner of Assam. I was well acquainted with Mr. Quinton, and had much to do with him in the transaction of business in India, and I always found him a man of marked ability, sound judgment, and great moderation of character. I am quite confident that the Civil Service, of which he was so distinguished an ornament, has sustained a serious loss by his untimely death. The matters connected with the Manipur incident may be the subject of discussion at a later period; but at the present moment I will only express an earnest hope that Her Majesty's Government in India and at home, in dealing with this question, will bear in mind that every step which is taken in regard to Native States in India is watched with the utmost care, and I may say jealousy, by every native prince and chief. I trust that Her Majesty's Government, in dealing with this question, will be strictly guided by those principles of policy in regard to the Native States which were established upon the termination of the Mutiny, and which have given to India nearly 40 years of internal peace and contentment, and have done so much to increase the confidence and develop the loyalty of the native princes of that country.

*The SECRETARY of STATE for INDIA (Viscount Cross): My Lords, in reply to the question of the noble Marquess, I should first of all state how entirely I join with him in deploring the loss of so many valued officers in the disaster at Manipur. I should like, also, to join with him in what he has said as to the late Mr. Quinton, whose loss I deeply regret. He had been in the service of the Government of India for 35 years, and he had risen to his high position entirely by his own exertions. He had been a member of the Viceroy's Legislative Council, and had won the confidence of no less than three successive Viceroys—the noble Marquess opposite (Ripon), the Marquess of Dufferin, and the present Viceroy, the Marquess of Lansdowne; and it was only last year, in consequence of the high esteem in which he was held, that he was appointed to the somewhat difficult post of Chief Commissioner of Assam. I deeply deplore his loss, and I desire to say that I quite join in what has been done by the Viceroy and his Council in India in publishing remarks in a special *Gazette* with reference to the officers who lost their lives. On behalf of my Council, as well as on my own part, I entirely endorse all that has been said by the noble Marquess, and I should like to express my deepest sympathy with the widow of Mr. Quinton and with the relatives of the other officers who lost their lives on that sad occasion. With regard to the question as to Papers which the noble Marquess has put to me, I have only one Despatch from the Viceroy of India which brings matters down very nearly to the end of February. That Despatch reached me on the 23rd of March, exactly one day after this fatal disaster took place at Manipur. Of course, I shall have no objection whatever in course of time to lay that Despatch upon the Table of your Lordships' House; but I do not think it would be right to produce it until more information is gained as to the whole circumstances, from later Despatches, which I have no doubt I shall receive from the Viceroy of India, and which will be presented in order to completely furnish the information which I agree ought undoubtedly to be laid at once upon the Table. I do not know that I have anything further to say in answer to the noble Marquess; but I can assure him, if he wants assurance, that there is no person more likely to treat the Native States of India with justice, whatever may have been the provocation given, than the present Viceroy, the Marquess of Lansdowne.

PRIVATE BUSINESS.

LOCAL GOVERNMENT (SCOTLAND) ORDER (STIRLING AND ST. NINIANS) BILL.

COMMITTEE.

House in Committee (according to order).

THE SECRETARY FOR SCOTLAND (The Marquess of LOTHIAN): I have to ask your Lordships to assent to one or two Amendments upon this Bill. It is to confirm an Order by the Boundaries Commissioners who have been selected under the Local Government (Scotland) Act. The object of the Amendments is simply to make one or two alterations which have been found necessary in consequence of misunderstanding by the Boundary Commissioners in making their Order. One of the misapprehensions was that the boundaries of the Burgh of Stirling were co-terminous as regards the municipal boundaries and the boundaries of the Royal Burgh; and the other was as to an understanding or an arrangement previously come to between the Parishes of Stirling and St. Ninians. With those observations I will ask your Lordships to assent to the Amendments which I now propose.

Amendments made; Standing Committee negatived; Report of Amendments to be received on Monday next.

MARRIAGE ACTS AMENDMENT BILL [H.L.]—(No. 79.)

COMMITTEE.

House in Committee (according to order).

Clause 1.

*LORD GRIMTHORPE: My Lords, I have to move an Amendment in order to more clearly indicate what the Bill does. In consequence of what was said the other night I think this is necessary. Unfortunately, I have not had the opportunity of communicating with those who are interested in the measure as I should like to have done, and, therefore, I can only propose such Amendments as have occurred to me, and state the reasons why it appears to me most of them ought to be accepted. When we come to the Preamble I wish to insert words not stating that the Act of George IV. was passed, but that it is expedient to amend the Act, and to leave out the subsequent lines with regard to that Act being in force in respect of marriages according to the rites of the Church of England, and to the expediency of altering and amending the Act in the certain particulars mentioned. I also propose to modify the Short Title Clause, which stands that "This Act may be cited as the Church of England Marriage Amendment Act, 1891." That sounds to me an inconveniently long short title. It is really a Bill for improving the condition of things, chiefly in reference to the law affecting marriages by banns in England and in regard to the places in which they are solemnised, or where it is lawful for persons to put up their banns of marriage. The object of providing a short title, of course, is that it shall be short, but it ought not, at the same time, to be made so short as to be misleading; and it appears to me that the best title would be to call the Act "Banns of Marriage Amendment Act." It is substantially an Act for amending the law in reference to publishing banns of marriage and nothing else. There is no occasion to have in the words "Church of England," because there are no other banns published in England.

Amendment moved, in page 1, line 15, to leave out "Church of England," and to insert "banns of."—(*Lord Grimthorpe.*)

*THE BISHOP OF LONDON: It will be obvious to your Lordships that the only objection to what the noble and learned Lord proposes is that this Bill deals with marriages by licence nearly as much as with marriages by banns, and, therefore, I think that that title might be considered rather misleading. For myself, I should prefer putting it "Acts"—in the plural—thus leaving it in the form of "Church of England Marriage Acts." However, if the noble and learned Lord presses his Motion, I shall not object to his words.

*Lord GRIMTHORPE: I make the suggestion for this reason: I think it better that the short title should indicate what the Bill chiefly does. No doubt the Bill deals also with licences, but in a very small degree. We shall find as we go on that the majority of the clauses have relation to the publication of banns. I may mention, as an instance, that there was an Ecclesiastical Act passed not many years ago, namely, the Clergy Pluralities Act Amendment Bill, as it was called, though it had a great many clauses relating to getting rid of clergymen who do not do their duty, and I think very many of the clergy were much surprised when they found out what had been done. This title might therefore, I think, be allowed to go for amending the law relating to banns of marriage without reference to licences. Probably it could be still more shortly cited as the "Marriage Amendment Act, 1891," and I will move to omit the words "Church of England" from the title.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 2.

*Lord GRIMTHORPE: Clause 2 is, I think, quite unnecessary, and is not altogether correct. But, perhaps, it is enough to say it is unnecessary, because the Act does not say, in fact, either directly or indirectly, anything about any marriages except those performed according to the rites of the Church of England. This clause is, therefore, entirely superfluous. Besides that, there are other technical difficulties which I do not think it right to trouble your Lordships with now.

*The Bishop of LONDON: The real purpose of the clause is to fix the date from which the Act shall apply.

*Lord GRIMTHORPE: The date cannot be fixed so exactly in this way, because marriages by licences or banns may be performed at any time within three months after the licence has been got or the banns put up. What you really want to provide for, I suppose, is that the Act shall come into operation at a certain time. In an Act of this sort, which is purely an enabling one, there does not seem to be any objection to the Act coming into operation when it has received the Royal Assent; but if anybody thinks it worth while to provide that the Act shall come into operation on a certain day, it must not be done in this way; for there will be one kind of law in existence when people begin to put up their banns, and another kind of law in existence when they come actually to be married. That is rather inconvenient, I think.

*The Bishop of LONDON: I think, perhaps, after what has been said, it would be better that this clause should go out now; and if it is necessary to put in something else in substitution for it, we can do so in Standing Committee.

On Question, that Clause 2 stand part of the Bill, negatived.

*Lord GRIMTHORPE: Now, my Lords, as Clause 2 has gone out of the Bill, it seems to me this is a better place to put in the Interpretation Clause than at the end. I confess, when I first read the Bill, I was a good deal puzzled by some of the phrases use in it. By the last clause but one (Clause 19), it is required that copies of the Act shall be sent to the ministers of every parish in England, one of them to be kept with the marriage register by the clergymen where banns are to be put up, and so on. It is desirable, I think, that it should read as easily as possible, and, as it is a very common thing to put the Interpretation Clause at the beginning of Acts of Parliament, I think this would be a convenient place for it. Therefore, I propose to insert here some interpretations. I will take them separately. The first would be this, that "in this Act the following words shall mean or include the following things, unless the context otherwise requires." Then it goes on to define "church." That is the material word all through the Act; "'Church' shall mean a church or chapel of the Church of England in which marriages may lawfully be solemnised." But, as there has been some question raised on account of some small number of those churches and chapels where one is now lawful without the other, it is, perhaps, necessary to add, "or banns be published," I must ask your Lordships' permission to explain a little on that point. There is a clause in an Act of 6 George IV. which recites that there were a certain number of small chapels which had the privilege of performing marriages without having the banns published in them. They were allowed to continue the privilege by that Act, which had been destroyed by the previous Act of 4 George IV. unintentionally. I suppose Marriages were allowed to be performed in churches in which the banns had been lawfully published. I therefore propose to add here the words, "or which banns have been published." That will include other places than churches.

*The Bishop of LONDON: I had supposed that the noble and learned Lord had overlooked the fact to which he has referred when he wrote his Amendment; and, after consulting my advisers, I thought it would be best corrected by making an alteration in the definition of the word "parish," but I do not object to what is proposed here.

*Lord GRIMTHORPE: Then, my Lords, the next is the definition of the word "parish." It is desirable to add at the end some other words. I propose that "parish" shall mean every old undivided parish, and every one from which another has been cut off and has become the whole or part of a new parish for ecclesiastical purposes under any Act of Parliament. That embraces both parishes under Lord Blandford's Act, and also parishes which have become so under special and Private Acts of which I know there are some existing. Then it goes on—"and every such new parish in which there is a church where marriages may lawfully be solemnised," and I propose to add "or banns published."

*The Bishop of LONDON: I think it would be a little better if the noble and learned Lord would consent to this alteration: that, instead of "every one," we should say "every old and undivided parish and every old parish from which a part has been cut off."

Lord Grimthorpe

*Lord GRIMTHORPE: I will tell your Lordships why I do not put in the word "old" there. A parish may have a slice cut off when it is anything but old. If you keep in the word "old" it has a kind of technical meaning, and there may be some difficulty in construing it afterwards.

*The Bishop of LONDON: I would rather have the words "every parish."

*Lord GRIMTHORPE: That may be, but I want to get rid of the word "old." Let it be, if you like, "every parish from which any portion has been cut off."

The CHAIRMAN: Then it will read, "and every parish from which any portion has been cut off and has become," and so on.

Lord GRIMTHORPE: Yes. Then the next definition is—

> "'Usual place of abode' shall mean any ordinary residence of the person referred to whether he has more than one or not, or his residence for fifteen days of the thirty immediately preceding his making an affidavit or declaration of residence to lead a licence or applying for publication of bands."

It would be better, instead of using the word "residence," to keep the same word as is used in other cases—"usual place of abode." Those are the words used in other Acts. But I thought that as the word "usual" alone would allow of some laxity of interpretation, it would, perhaps, be as well to put in "for fifteen days immediately preceding." Of course, where a person has only one ordinary residence, or where he generally dwells, that would be sufficient. The reason I have put in those words is that there has been found a practical difficulty arising from the fact that people have been afraid to go away from their homes during the 15 days previous to the celebration of the marriage for fear they should be held to be breaking the Act. I think the proviso will be sufficient for the purpose, but I will await what may be said upon it by the right rev. Prelate. I put it in that way that his usual place of abode shall be for this purpose his residence for 15 days immediately preceding his making the affidavit of residence in applying for a licence or for publication of banns. I think we had better, perhaps, add another definition to that which may be taken separately, for the phrase "where they generally dwell." I would therefore, put it in this form if the right rev. Prelate does not object, "usual place of abode or where they usually dwell," omitting the words "for fifteen days of the thirty immediately preceding."

*THE BISHOP OF LONDON: I do not object to that.

*LORD GRIMTHORPE: The next is the definition of the word "minister." I am not quite sure, but I am inclined to think that during the absence of the incumbent of the parish the "principal curate" would be enough. I should have thought the principal curate was the proper person to put in, not any curate who may be acting in the parish.

*THE BISHOP OF LONDON: I think myself it would be better, because the clergyman acting may not always be the principal curate; if the noble and learned Lord does not object, that during the absence of the incumbent "minister" shall include any curate or other officiating minister of the parish or church.

*LORD GRIMTHORPE: Very well.

Moved, "That the following New Clause:—

In this Act the following words shall mean or include the following things, unless the context otherwise requires:

"Church" shall mean a church or chapel of the Church of England in which marriages may lawfully be solemnised, or in which banns have been published:

"Parish" shall mean every old undivided parish, and every parish from which any portion has been cut off and has become the whole or part of a new parish for ecclesiastical purposes under any Act of Parliament, and every such new parish in which there is a church where marriages may lawfully be solemnised:

"Usual place of abode" shall mean any ordinary residence of the person referred to, whether he has more than one or not, or his residence for fifteen days of the thirty immediately preceding his making an affidavit or declaration of residence to lead a licence or applying for publication of banns:

"Minister," except with reference to fees due to the incumbent of the parish, shall include during his absence any curate or other officiating minister of the parish or church.

—stand in substitution of Clause 2,"—(*The Lord Grimthorpe,*)—agreed to.

Clause 3.

Verbal Amendments made.

THE BISHOP OF LICHFIELD: My Lords, I have an Amendment with regard to the publication of banns in the ecclesiastical parish where the parties dwell. I propose this Amendment with the view to minimise what I regard as the very singular position of the Marriage Law rejecting the residence as the usual place of abode. A man may have had his abode in a parish for 20 years and may be thoroughly well known to everybody there, but a fortnight before the publication he moves into another parish where he is unknown, and his residence would, of course, be there. Thereupon the banns are published in the parish of his new place of residence where people cannot possibly know anything about the man, or his character, or the circumstances under which the marriage takes place. What I propose is, that in every case the man shall be asked what is his usual place of abode, and that upon that inquiry the banns should be published there. If there be no usual place of abode, you might then accept the minimum provision provided in the Act; but I think such a provision as that would remove what I think is rather a scandal in our present law, that is to say, the ease with which a man may leave a parish where he is well-known and go, just before the marriage, to another, where the circumstances of the marriage he is intending to make are unknown. That always proceeds from one of two reasons: either the man has good reasons for keeping his marriage secret, and, of course, in that case no facilities should be given him, or he may wish to be married in some particular church which he may select, and of course there is no reason why he should not be allowed to be married in the church of his choice. But this Bill actually provides that a man may be married in any church within the whole diocese, and, therefore, the minimum period of residence as relating to the latter case ceases to have any real object, and it remains only to suit the case of those who wish for good reasons, with a view to their known character, to hide the circumstances of their marriage. I think the clause which I propose will meet the difficulty for that purpose, omitting the word "dwell" in this clause.

Moved,

In page 1, line 26, to leave out ("dwell") and insert ("have their usual place of abode, or if there be no such usual place of abode then in such church or chapel as may be situated within the parish in which they have had their residence continuously for not less than fifteen days previous to the first publication of the banns.");—(*The Bishop of Lichfield.*)

*THE BISHOP OF LONDON: I confess I am surprised at the proposition of my right rev. Brother, because it would in many cases make the conditions so stringent as to be really very oppressive. To insist upon it would be a hardship in a great many cases, and to require a continuous residence within the parish of not less than 15 days previous to the publication of the banns, and only to allow the publication there if the man confessed he had no usual place of abode would curtail the liberty of the subject in regard to marriage very greatly indeed, and the result would be to drive a great many more people to the Registrar's office than are driven there at present. Therefore, I am not very well disposed to accept this Amendment.

*LORD GRIMTHORPE: I quite agree with what has been said by the right rev. Prelate who spoke last. If you begin introducing these things into the law it would lead to a tremendous and almost boundless tyranny. What is it to us where people may choose to get married? Everybody has a right to get married as they please—of course, not within the prohibited degrees; and I am very glad to find that the right rev. Prelate who spoke last declines to accept the Amendment, and that he is inclined to defend the liberty of the subject instead of allowing this aggression upon it.

THE BISHOP OF LICHFIELD: I do not press the Amendment.

On question, that the word "dwell" stand part of the Clause, agreed to.

*LORD GRIMTHORPE: I have an Amendment, in lines 26 and 27, to leave out "the persons to be married," and insert "they." This is more of a grammatical nature than anything else, but it is no use loading the clause with unnecessary words. It cannot possibly make any difference, because you go on to provide that "Where the persons to be married shall dwell in divers ecclesiastical parishes" the banns shall be published in the church of the parish where each of them dwell. You have already, therefore, provided for it; but I should prefer the common word "different" to "divers."

Amendment moved, in lines 26 and 27, to leave out the words ("the persons to be married") and insert ("they.") —(*The Lord Grimthorpe.*)

Agreed to.

*LORD GRIMTHORPE: I have another Amendment—to leave out "ecclesiastical" and "chapel" with any connecting word throughout the Bill. They occur several times in this clause.

*THE BISHOP OF LONDON: I think it would be better not to omit the word "ecclesiastical" here, because, as I happen to know, there is perpetual confusion among people between the old parish and the new ecclesiastical parish taken from it; and what is meant here is distinctly the ecclesiastical and not the other parish.

*LORD GRIMTHORPE: I think it would be well to avoid confusion, but I should like to say a few words before we get to the consideration of "ecclesiastical parishes." It is suggested to me by a very high authority that I was right in the opinion I have expressed with regard to the word "divers." That word implies a good many, and the parties in these cases will certainly not reside in a good many, though they may in two different parishes. I beg, therefore, to substitute that word.

Amendment moved, in line 27, to omit ("divers,") and insert ("different.")—(*Lord Grimthorpe.*)

Agreed to.

*LORD GRIMTHORPE: Now with regard to the word "ecclesiastical," I think it safer to leave the word out throughout the Bill, than to put it here and there only. As we have already defined that the word "parish" means ecclesiastical parish, we had better not, I think, raise a question about it by sticking in "ecclesiastical" in one or two places.

Amendment moved, in lines 23 and 25, to leave out the word "ecclesiastical."—(*Lord Grimthorpe.*)

Agreed to.

Other Amendments made.

Clause 3, as amended, agreed to.

*LORD GRIMTHORPE: My Lords, I propose, after Clause 3, to insert a clause, which is really necessary, however it may be done. The way of doing it I am willing to leave to the right rev. Prelate; but I would say this: I do not think I made it quite as plain as I ought to have done on the Second Reading that in a great many churches there is now, practically, no legal or proper way of publishing banns at all. In many churches there is very often no Communion Service at the common Morning Service, and your Lordships also know the Nicene Creed occurs in what is popularly called the ante-Communion Service. Consequently, if that Creed is not read, there is absolutely no legal time for publishing banns In some cases they are published at the conclusion of the second lesson, and in others at the conclusion of such Morning Service as they have. That is all irregular, but I know that for a long time the practice prevailed of publishing the banns always after the second lesson till Baron Alderson, when the case came before him, pronounced it illegal, except at Evening Service under the Act of 4 Geo. IV., c. 76, and that stopped it These things grow up by degrees, but I can hardly think anybody would wish to go on in an illegal manner after his attention has been called to the fact. The practice in this respect has grown up by the change of habit in dividing the Morning Prayers. It would be quite absurd to publish banns of marriage at an early Communion Service, the very object being to give publicity at a time when the congregation in the church is largest. I think it is quite plain that the time has come when there ought to be fresh legislation on this point, and the first thing for us to do is that we should make up our minds at what period of the service it is best that banns should be published in order to secure the greatest publicity. I do not think anybody will deny that the way I have proposed to do it here is the best method of doing it. I am only proposing to follow the course which was followed in the Act of George IV., adapting it to the circumstances which have altered considerably since that time. In the first place, the time fixed for publishing banns should, of course, continue to be on Sundays. Let me tell those who do not know it that an alteration was made in the Act of George IV. upon the canons made in Convocation, which some persons fancy are to govern us, but which have never done so. The canons allowed holydays; the Acts of Parliament do not. It should be done on Sundays after the Nicene Creed has been said at the usual Morning Service, and I suppose we should be right in saying, "at the usual Morning Service after ten o'clock, or, if that Creed should not be used at that service," which would provide for the case of every church in London, at the end of the Morning Service, then the banns shall be published at the end of Evening Prayer, if there is no such Morning Service, as was done in the Act of George IV. But since then another change has taken place. There has come into fashion the holding of two afternoon or evening services; and of the two the later or, as it is more commonly called, "Evening Service," in distinction from the earlier afternoon service, is much preferred, and is, therefore, the time when the greatest publicity can be secured for banns. Therefore, I propose that they shall be published in the evening, the latest service of the day. That is as commonly understood, but then comes in another change of fashion. In order to meet the wishes and habits of various people, some of the clergy have not only early Morning Services but what they call "Midnight Services," and it is necessary to provide for those cases. If, therefore, we say "the latest service of the day before 9 o'clock," and "at the usual Morning Service after 10 o'clock," we shall have provided against both publishing banns at Midnight Services, and before 10 o'clock in the morning, which are not convenient for the purpose. I do not know that I have anything further to say beyond this, that if anybody objects to adding this at all, all I can say is that Parliament has done these things ever since the time of Edward I., or rather since Henry VIII.

Amendment moved,

After Clause 3, to insert the following clause:—

("The time for publishing banns shall be on Sundays after the Nicene Creed at the usual morning service after ten o'clock, or, if that creed is not used then, at the end of Morning Prayer. If there is no such morning service, the banns shall be published at the end of Evening Prayer at the latest service of the day before nine o'clock."—(*The Lord Grimthorpe.*)

*THE BISHOP OF LONDON: I should not object to the insertion of this clause if the noble and learned Lord will give some freedom to bring it more into accordance with the modern practice. I would suggest instead of saying if the Nicene Creed is not used "At the end of Morning Prayer," that it should be "After the second lesson at Morning Prayer," and instead of saying "At the end of Evening Prayer," say "After the Second Lesson at Evening Prayer;" because it is obvious that if you are to publish banns while people are in the act of going out of church it would be practically useless. It is much better not to disturb the present ordinary practice.

*LORD GRIMTHORPE: I have not the least objection. The alteration that it should be done at the end of the Second Lesson was made or supposed to be made by Parliament in the year 1823. The practice went on for a good many years until Baron Alderson decided that it was a mistake. But if the right rev. Prelate prefers that time by all means let it be so. I only thought it would be better to put it at the end of Morning or Evening Prayer, and not to interrupt the prayers by banns.

*THE BISHOP OF LONDON: That would in some cases be the end of the service. At many services there is no sermon.

THE BISHOP OF LICHFIELD: As to publishing banns at the end of Evening Prayer, I think it cannot be conceived how great is the interruption to the solemn thoughts which have been evoked; and if there is any technical difficulty about the expression "At the end of Evening Prayer," as suggested by the noble and learned Lord, the publication of the banns might be made at the end of the service. It seems singularly irreverent to many people.

LORD GRIMTHORPE: *Non nostrum est tantas componere lites*——that is all I can say.

*THE BISHOP OF LONDON: I do not wish to divide the House on this point, but I still think as it is the practice not to do it at the end of the service it would be preferable to put it "After the Second Lesson at Morning Prayer, and after the Second Lesson at Evening Prayer."

THE MARQUESS OF LOTHIAN: In order that somebody who is not sitting on the same Benches as the right rev. Prelates may express an opinion upon this matter, I will say a few words. I hope sincerely your Lordships will give effect to the suggestion of the right rev. Prelate, and enact that the time for the publication of the banns shall be after the Second Lesson. I confess I am somewhat surprised at hearing the argument of the right rev. Prelate who has previously spoken. As far as my experience goes I do not know that anybody who goes to Church has ever felt any feeling of irreverence from the publication of banns at that time. The object being that the banns shall be announced in the most public manner, I cannot conceive any objection to the time as proposed by the right rev. Prelate, as the congregation would then be most numerous, and it is the time which is almost universal in this country, that is after the end of the Second Lesson.

Amendment amended, to read as follows:—

"The time for publishing banns shall be on Sundays after the Nicene Creed at the usual morning service at 10 o'clock, or, if that creed is not used, after the second lesson at morning prayer. If there is no such morning service, the banns shall be published after the second lesson at evening prayer."

Amendment, as amended, agreed to.

Clause 4.

*LORD GRIMTHORPE: I propose to amend this clause. It says, "When banns shall have been published as aforesaid the marriage shall be solemnised" as provided. I propose to leave out "shall" and to insert "may at any time within three months." "Shall" is obviously wrong, and for the information of all sorts of unlearned people it is better to tell them at once that it may be within three months as provided by the law already. It is always much better to have a complete Act of Parliament than to refer people backwards and forwards from one to another.

*THE BISHOP OF LONDON: I will accept that.

Amendment moved, in page 2, line 2, leave out ("shall") and insert ("may at any time within three months.")—(*The Lord Grimthorpe.*)

Agreed to.

*LORD GRIMTHORPE: The next Amendment is what may be called a grammatical or structural one. It seems to be quite unnecessary to have two sub-sections here. I have always protested against unnecessary sub-sections, and I propose to leave out (1) and (2) so that the clause may read straight on. I merely move the omission of those two little numerals.

THE CHAIRMAN: I do not think it is necessary to move the omission of numbers.

*LORD GRIMTHORPE: Then, as a matter of form, I will move to insert the word "or" in the place of (2), so that it shall read that—

> "The marriage may at any time within three months be solemnised either in one of the churches or chapels in which the banns shall have been published, or in any other church or chapel,"

Amendment moved, in page 2, line 2, to insert the word "or."—(*Lord Grimthorpe.*)

Agreed to.

Verbal Amendments made.

*LORD GRIMTHORPE: Perhaps I may put now the omission of the word "chapel" wherever it occurs in this clause with any connecting word.

Amendments agreed to.

LORD GRIMTHORPE: There is one more Amendment in this clause. It is in the 2nd sub-section, after the words "provided that," leaving out the rest of the clause, and substituting an Amendment. This, again, is for the convenience of reading. It would, I think, be better to let it run in the negative form, that—

> "The marriage shall not be solemnised in a church where the banns have not been published without the consent of the minister nor until seven days after production to him of certificates of publication of the banns at the churches where they were published, and"—

this is omitted by mistake in the Bill—"not forbidden by any person having the right to stop the marriage"—that is a parent or guardian. And then it provides for entry in the banns book. That is all that I propose by this Amendment. I rather infer that the right rev. Prelate wishes to have the place where the marriage is to be solemnised published also. That is in the Bill as it stands, and I make the same remark upon that as I did upon the other part of the Bill, that putting in so many restrictions will only cause unnecessary difficulty. In addition to that it will be extremely inconvenient and tiresome when a great many banns have to be published to have thrust in that "such-and-such a marriage will be solemnised in such-and-such a church," and altogether it will make the thing so disagreeable that there is sure to be some reaction against it, and very possibly the whole will be swept away.

*THE BISHOP OF LONDON: The reason of the thing is clear enough. In the present condition of matters banns are very often published where the parties are unknown, and those persons, therefore, who have the right of interference have no means of intervening; whereas if the church where the marriage is to be solemnised is publicly announced at the same time as the publication of the banns takes place, it will then be possible for those persons to come forward and take whatever steps may be necessary to prevent the solemnisation of the marriage. Therefore, I think it would be much better that the publication of the banns should include an announcement of the church where the marriage is to take place. I think in the case also of marriages before a Registrar, if the marriage is not to be performed in the Registrar's office it is always necessary to state where it is to be performed. In cases, too, of marriage by licence, the licence contains a distinct statement to that effect. There ought, therefore, I think to be some precautions taken in these cases as is taken in cases of marriage at a Registrar's office, or by licence.

*LORD GRIMTHORPE: I think the right rev. Prelate has not observed that that is exactly what I have done. I provide for an entry to be made in the banns book of where the marriage is to be solemnised; but he wants to have it published in church. Probably the right rev. Prelate knows that that very kind of publicity was first introduced into what I may call the Dissenters' Act; but it was struck out some years afterwards. It was found to be extremely disagreeable. I have exactly followed that precedent here. If the place where the marriage is to be performed is entered in the book, any one interested in the marriage who has heard the banns in the church, can look in the book or ask the clerk, and follow such marriage to the church where it is to take place. But I would further ask: What can the person do if he does follow it? He has no power to do anything at all. He has power to forbid the banns; but when once it comes to the actual marriage he has nothing to do with it whatever. Therefore, it seems to me, that to provide for such announcements is simply wearying the congregation—making the uninterested public who are present, angry, by prescribing that which does nothing at all; whereas all that is really necessary is provided for in this clause exactly as it is provided for in the Registry Acts.

*THE BISHOP OF LONDON: I do not contend very earnestly for it I confess; but, nevertheless, I know that a large number of people feel that if people are to be at liberty to have marriages performed at any church in the diocese there ought to be very distinct means of ascertaining beforehand where the marriage is to take place. If the noble and learned Lord proceeds on the supposition that where the banns have been published, and the persons who are to be married are in a position in which the marriage would be wrong, it ought to be stopped, but nobody could stop it; that would not be the case where the persons were minors and their parents heard of it. They might not hear of it until the banns were published; but then they should be able to go to the church and stop it.

*LORD GRIMTHORPE: I have provided for that by giving the information in the banns book. That is a book which is open to them to look at just as would be the case in the Registrar's office.

*THE ARCHBISHOP OF CANTERBURY: Is it not generally taken to be meant by the publication of banns of marriage in a church that the persons named are to be married in that church or the church of the other parish named? It is not supposed that they would be married at perhaps considerable distances away, elsewhere in the diocese, and no doubt the people who heard the announcements would naturally assume that the same custom prevailed in the absence of a statement to the contrary.

*LORD GRIMTHORPE: Matters of this kind rapidly become the subject of general knowledge, and it would very soon become known that people need not be married at the particular church, but could be married elsewhere, and as I said before, they have only to go and look at the book, and they can see at once.

*THE BISHOP OF LONDON: I shall not make any further objection.

Amendment moved,

In line 8 to leave out from ("that") to the end of the clause and insert ("the marriage shall not be solemnised in any church where the banns have not been published without the consent of the minister thereof, nor until the end of seven days after the production to him of a certificate of due publication of the banns at each of the churches where they were published, and not forbidden by any person having a right to stop the marriage. And an entry shall be made in the banns book before any publication of banns of the church where it is intended to solemnise the marriage, unless it is one in which the banns are published.")—(*Lord Grimthorpe.*)

Agreed to.

Clause 4, as amended, agreed to.

*LORD GRIMTHORPE: Then after Clause 4 I propose to insert a new clause which is really consequential on what has been done already in reference to the publication of banns. I hope nobody will think hereafter that I am wanting in due respect to great dignitaries, for I propose to give to them the power and duty in this matter of making alterations in the rubrics instead of the Queen's Printers and the authorities of Oxford and Cambridge Universities, for the purpose of making the rubrics conform to the Acts of Parliament upon this subject. I now propose that the two Archbishops shall make such alterations in the rubrics relating to the Marriage Service in the Prayer Book as will make them agree with this Act notifying the same to the Queen's Printers and to the Vice-Chancellor of the two Universities in order that they may be printed in the Prayer Book.

*THE BISHOP OF LONDON: I should not myself have been willing to put in a clause of this sort. It would seem to be more appropriate for one of the Archbishops to move the insertion of such a clause; but if the Primate is willing to allow it to be inserted I shall certainly not object. If, however, he objects to it I shall support the objection.

*THE ARCHBISHOP OF CANTERBURY: I shall not make any objection to it.

Amendment moved, after Clause 4, to insert as a new clause—

"The Archbishops of Canterbury and York are hereby authorised, subject to the approval of Her Majesty the Queen, to make such alterations in the rubrics after the Nicene Creed and before and in the Marriage Service in the Prayer Book as will make them agree with this Act, and those rubrics shall be so printed in all Prayer Books after such alterations have been notified by order of Her Majesty to the Queen's Printers and the Vice Chancellors of Oxford and Cambridge Universities."—(*The Lord Grimthorpe.*)

Agreed to.

Clause 5.

*LORD GRIMTHORPE: I propose that this clause shall read somewhat differently, so that it shall read that the publication of a seaman's banns of marriage may be made in any church in the parish where he usually resides when on land. That was the meaning of the clause as understood on the former occasion.

*THE BISHOP OF LONDON: That is really a verbal alteration, and I do not object to it.

Amendment moved, in page 2, line 2, to leave out from ("in") to the end of the clause, and to insert ("any church of the parish in which he usually dwells when not at sea.")—(*The Lord Grimthorpe.*)

Agreed to.

Clause, as amended, agreed to.

Clause 6.

*LORD GRIMTHORPE: This clause raises a question upon which there was a discussion the other night about the information to be given by the parties to the minister. I think all the information we ought to require to be given is that which, in the interest of the public, we are legally entitled to demand. Now, what is it that the public are entitled to demand? They are entitled to know that the marriage is not an illegal one, that it is not within the prohibited degrees, and that the proper persons to consent, where consent is required, have consented. But, my Lords, that requires some qualification, because of the state of the law on the subject. The law was altered by the Act of George IV. from what it had been before. It had been before for some time the law that the consent must be proved as a positive thing. It was then altered by the regulations for putting up the banns, leaving the parents and guardians to object if they thought fit. That was a material alteration, and I think your Lordships would be slow to go back again to the former practice and alter it after, now, a good many years' experience. As I have mentioned previously, it dated back from the time of Lord Hardwick, in the reign of George II. down to the Marriage Act of 1823. Now, beyond that, I confess, in my opinion we have no business to go; and when it is proposed to require that people should tell their ages, may I take the liberty of asking why people should be bound to do that when they are of full age, and to tell their age under penalties for perjury? You are claiming under this Act to do that which is only required for public purposes under the Census—where it really is of consequence that people should state their exact ages. But there is no penalty there. What does it matter to us whether a woman who is going to be married is 25 or 30 or 35? I do not think we should sanction such inquiries as a piece of legislation. I first propose to leave out the words "prior to" the last publication, because the clause is not English, as it stands.

*THE BISHOP OF LONDON: I do not object.

Amendment moved, in page 2, line 28, to leave out ("prior to the") and insert ("their.")—(*The Lord Grimthorpe.*)

Agreed to.

*Lord GRIMTHORPE: Then the next is to leave out the words "of the banns" and from "church" to the end of the clause, inserting instead, a provision that the clergyman may require a written statement signed by the person applying, containing the abodes of the parties within the parish, and a statement that they are both of full age, and if not, whether they have obtained the consent of parents or guardians. That, as I have told your Lordships, is an advance upon the present law; I warn you of that, and it is for you to say whether you like to adopt it or not. It then goes on to provide that the person applying knows of no legal impediment by reason of relationship within the prohibited degrees, or from any other cause. The minister, after receiving the statement shall allow the publication to proceed (unless he ascertains it to be false,) and is not bound to ask the parties any further questions, informing them that they are liable to prosecution if they sign such statement falsely. I ought to have mentioned the other night that the Bill as far as this matter goes is founded, I think upon a misapprehension of the Act of 1823, for there is in that Act a power which really seems to me to be big enough as it stands, at least as to the exact place of residence. However, if it is desired to re-enact it here I do not know that it matters. There is a provision there that no parson or curate shall be obliged to publish banns unless the parties shall seven days before the publication deliver a notice in writing stating their true christian and surnames, their place of abode within the parish, and the time they have lived there. If that provision had been borne in mind I cannot help thinking that a good deal of this Bill need not have been drawn. It is not the first time, I may say, that I have known instances of a Bill being drawn for the purpose for effecting what there are already sufficient provisions for in the Statute Book. The Dilapidations Act, which has been absolutely condemned by a Committee of the House of Commons, was drawn in entire forgetfulness that in an Act of Elizabeth, provision is made for everything that was really wanted. Here it is done again, but, as I said before, I have no objection to it, because I have no desire to prevent any Statute being made complete on the face of it.

*The Bishop of LONDON: I should like to explain, because the noble and learned Lord made a great point of this the other night, that the form in which this clause with the different questions in its Schedule are cast is not due to any desire on the part of the clergy or on the part of the Bishops to make inquisition into the private affairs of anybody. But the fact of the case is this: the Lower House of Convocation, and afterwards the Upper House with them, represented that it would be of great advantage to have a distinct schedule or form which the parties were to fill up, and accordingly the drawing up of such a form or Schedule was urged, and it was entrusted to legal hands. Of course it may be said I was in fault, and I am perhaps to blame for too implicitly trusting the profession of which the noble and learned lord is a representative, and I should not, perhaps, have left it entirely to legal hands, but should have asked the clergy to do it, and if I had done so the clergy certainly would not have asked such questions as that people should give their ages, because it is surely quite enough to know whether the parties are of full age or not, and with how old a person is precisely, we have no business at all. The reason why the Schedule was drawn in that shape was simply this: It is found in dealing with uneducated people that questions of this sort must be minced up very small for them or else they will not understand what you are about. The idea was that it would be much easier to put it to them in the form of question and answer than simply to leave it in the general form which the clause provides. I do not object to the noble and learned Lord's way of putting it in the least. The result of this, of course, would be that the clergyman would of necessity have the duty of eliciting the information involved in the answers to each one of these questions, which would be inconvenient. But it is obviously very inconvenient not to put in correct form what is required to be filled up. I think it better that we should have a Schedule, but if the noble and learned Lord objects to its form he may work his will upon it, and if the lawyers see any necessity to contend about the matter I can assure them that the Bishops will listen to them with great equanimity. As it is, I really think it would be better to keep the Schedule even if we adopt the noble and learned Lord's proposed clause. That clause is, I think, very well drawn, and I am quite willing to accept it, but I should nevertheless like to put in the Schedule, if the noble and learned Lord does not object, in order that we may have some guidance, and partly, too, for educating the people in the matter. We can amend it, no doubt, and I think with very great effect. I should like to add to the noble and learned Lord's clause what really seems to me of considerable importance, namely, the words that

> "The delivery of such statement to the minister shall relieve him from the duty of making inquiries as to the matters therein contained."

I think it is of importance that it should be distinctly stated that the clergyman is then to be no longer responsible. He has these things put before him; he has to accept them upon the assurance that any person who makes a false statement will be punished for doing so, and I think that being the case clergymen ought to be distinctly relieved from all responsibility of finding out whether the facts are so or not.

*LORD GRIMTHORPE: That I intended by providing that the clergyman is not bound or authorised to make further inquiry. The moment you provide that a man shall make no further inquiry he ceases to be responsible. I do not think there is anything needed more than that. That has reference to the Schedule, but I am now discussing Clause 6, and certainly, as I understood the other night, such precise inquisition is not desired by the Ecclesiastical Authorities; but the strange thing is that I now find in Clause 6 the age of the parties demanded which the right rev. Prelate says he is willing to give up. I think, therefore, I was right in imputing to somebody or other substantially the inquiries which are directed in Clause 6, and also in the Schedule. If convenient to your Lordships, I am willing to say what I have to say about the Schedule now. It is all very well to make provisions of this kind in reference to places like a Registrar's office where you have all necessary books and Schedules provided at public expense, and officers for the performance of such duties; but who is to provide all that is required for this Schedule here? Are the clergy to do it? Are they to give the attendance required upon all these people? Your Lordships are aware that is not the case now, for the banns are put in through the clerk, and if you do not allow these things to be filled in through the clerk the parties must do it themselves, or the clergyman from such information as he can get. Beyond the suggestion he has made, I understand the right rev. Prelate to be satisfied, otherwise, with my clause.

*THE BISHOP OF LONDON: If it is quite certain as a matter of law that these words will carry it, I desire nothing more.

*LORD GRIMTHORPE: I think your Lordships may take it as a legal dictum, now, that exemption from being bound or authorised to ask any further questions is quite sufficient to relieve from responsibility.

THE LORD CHANCELLOR: I should like to say a few words upon this clause. Hitherto I have refrained from saying anything in the matter because I propose to attend the Standing Committee, where I thought a good deal of this might be much more conveniently discussed and Amendments disposed of; but with regard to this particular Amendment, I am a little apprehensive that if we adopt it in its present language there may be some difficulty arising in regard to requiring a statement in writing of the particulars demanded. Still, anybody who gets a licence has to give these particulars, and I should strongly object, myself, to its being left optional with the clergyman to require these particulars to be furnished for the purpose of public convenience, and in the public interest. I think he ought to be bound to do so. But, as I have said, I would rather not interfere at this stage upon this mere drafting of the Bill, and I merely wanted to point out that the adoption of this clause in the form proposed might lead to difficulty.

*LORD GRIMTHORPE: For the present I will propose the Amendment as it is with the understanding that if it is found convenient in the Grand Committee to alter it, I, at any rate, shall make no objection.

Amendment moved,

In line 29, to leave out ("of the banns,") and to leave out from ("church") to the end of the clause and insert ("where they are to be published, may require a statement in writing signed by the person who applied for the banns of the abodes of each of the parties within the parish, and whether they are both of full age, and if not, whether each one who is not has got the consent of his or her father or guardian; and that the person applying knows of no legal impediment by reason of relationship within the prohibited degrees or any other cause. And after receiving such statement the minister shall allow the publication to proceed unless he ascertains it to be false, and he shall not be bound or authorised to ask any further question of the parties, but may inform them that they are liable to prosecution if they sign such statement falsely.")—(*The Lord Grimthorpe.*)

Agreed to.

Clause 6, as amended, agreed to.

Clause 7.

*LORD GRIMTHORPE: It is necessary to move an Amendment to leave out the word "chapel," here, in consequence of what we did in the interpretation clause. It will read "in any church within the diocese," leaving out the intervening words.

Amendment moved, in page 3, line 1, to leave in the words "or in any chapel."

Agreed to.

Other Amendments made.

Clause 7, as amended, agreed to.

Clause 8 agreed to.

Clause 9.

*THE BISHOP OF LONDON: I desire to add some words to Clause 9, providing that nothing in this Act contained shall be construed to detract from or qualify the authority in regard to marriage licences, or to affect the legality of any marriage in conformity therewith. I am advised that it is important to protect the Vicar General and other officials in the exercise of their duties that those words should be inserted.

Amendment moved,

In page 3, at the end of the clause, add ("and nothing in this Act contained shall be construed to abridge, detract from, or qualify the authority which the said Master of the Faculties or the said Vicar General now has the exercises in issuing marriage licences, or to affect the legality of any marriage solemnised in conformity therewith.")—(*The Bishop of London.*)

Agreed to.

Clause, as amended, agreed to.

Clause 10 agreed to.

Clause 11.

*LORD GRIMTHORPE: I propose to leave out from "post," in line 26, to the second "to," in line 28, and insert words "providing that the notice shall be sent by the person obtaining the licence." I think that burden ought rather to be imposed upon the person who is to be married than upon the surrogate, unless there is some occasion for it.

*THE BISHOP OF LONDON: I do not object to that.

Amendment moved, in page 3, line 26, leave out from ("post") to the second ("to") in line 28, and insert ("by the person who obtained the same.")—(*The Lord Grimthorpe.*)

Agreed to.

THE BISHOP OF LICHFIELD: There is a further addition which I propose to make in this clause on page 3, line 28, for the purpose of giving greater security against improper marriages. I suppose the real meaning of all marriage legislation is to facilitate as far as possible the performance of proper marriages, and to render difficult or impossible all illegal marriages. It seems to me that in the absence of anything to prevent it, persons may go to a surrogate and make a declaration and obtain a licence with a very wide range of the sources from which such licences may be obtained, and there are no means whatever except the statement of the persons themselves of ascertaining whether the marriage be a legal and proper marriage or not. One knows very well—I know it painfully well from experience in populous parishes in London for upwards of 20 years, and now in a large diocese for a number of years—that the number of illegal and improper marriages is something enormous, and chiefly because we do not take proper precautions to ascertain the circumstances of the marriage. There is something more, and that is the rash facility with which people take affidavits, and make declarations such as are required before obtaining licences of marriage. It seems to me that to send a notice to a clergyman who is at some distance, in whose church the marriage is to be solemnised, is of comparatively small importance; and I propose that notice should be sent to the incumbent of the parish where the persons applying for the licence have their usual place of abode. There would then, if that were done, be some chance of ascertaining whether the marriage was a legal one or not. Of course the clergyman where the marriage is to be solemnised, *ex hypothesi* knows nothing about the parties; but the incumbent of the parish where they have resided might know the circumstances; as occurred in one case in a parish of mine where a man wished to marry his grand-niece—and he really did marry her. When I heard of the matter I wrote to tell the surrogate that he must withdraw the licence and get it back. He was able to do so by persuading the old man that it was not a proper marriage, and for a time it was stopped; but after some time had elapsed he was able to get a licence elsewhere. Marriages of an illegal nature are celebrated in hundreds, I might almost say in thousands, in this country, and surely the object of all marriage laws ought to be to prevent persons from contracting illegal and improper marriages. It seems to me not only in this clause, but throughout this Bill, there is very great laxity with regard to obtaining information on those points, and I do not hesitate to say that in some respects this Bill will facilitate improper and illegal marriages unless such precautions as I propose are taken. Care should be taken by somebody to ascertain whether the man is going to contract such a horrible marriage to which I have alluded, or whether mere children are going to marry at the age of 16 or 17. Such cases are of continual occurrence, whereas, if notice of these marriages were sent to the incumbent of the parish where the parties dwell, he might know the circumstances, and perhaps be able to say immediately—"This is an improper marriage." Without that I think we shall open the door to an extension of the really painful irregularity, and laxity, now existing.

Moved—

In page 3, line 28, after ("granted") to insert ("to the incumbents of the parishes in which the persons applying have had their usual place of abode and also.")—(*The Bishop of Lichfield.*)

*Lord GRIMTHORPE: I quite understand the Amendment, but I do not understand how it is to be enforced. I confess I sympathise with a great deal the right rev. Prelate has said; but consider what his proposal is. Here is a proposal that notice is to be sent to the incumbent of the place where the people reside; no definite time is fixed for it; no penalties are imposed—you dare not put in a penalty; and the whole thing would fall through in a very short time. Why is all that trouble to be given to the incumbents of parishes for no purpose. I cannot think that is a discreet way of legislating.

*The Bishop of LONDON: In support of what has fallen from the noble and learned Lord, I am afraid it would overwhelm incumbents, who are often hardly enough worked, to have numberless notices coming by post saying that people who had lived in his parish were going to be married. I think it would be very hard to put upon them the duty of inquiring and replying to the notices, and that it would be a mistake to insist upon the performance of such a duty.

The Bishop of LICHFIELD: After what has been said, I will withdraw the Amendment.

Amendment (by leave of the House) withdrawn.

Clause, as amended, agreed to.

Clauses 12 and 13 agreed to.

Clause 14.

*The Bishop of LONDON: I think after the word "diocese" some words ought to be inserted. It is probably my mistake for not looking to it. It will read that where the marriage is by licence, it shall not be necessary to give proof of abode for 15 days in any parish in the diocese, "or compliance with the directions in Section 11." I think it is necessary to insert these words in order to make the meaning of the clause complete.

Amendment moved in page 4, line 15, after "diocese," to insert "or of compliance with the directions mentioned in Section 11 of this Act." — (*The Bishop of London.*)

Agreed to.

Clause, as amended, agreed to.

Clause 15.

*LORD GRIMTHORPE: I think there is a superfluity of adverbs here. It says, "Any false statement made knowingly, intentionally, and wilfully." It seems to me the words "wilfully and intentionally" are certainly unnecessary. I therefore propose to put it "knowingly" alone.

Amendment moved in page 4, line 18 and 19, to leave out the words "intentionally and wilfully."—(*Lord Grimthorpe.*)

Agreed to.

THE BISHOP OF LICHFIELD: I would ask my right rev. Brother who is to be the prosecutor in these cases. I presume there would have to be a prosecution.

*THE BISHOP OF LONDON: I did not think it would be reasonable to desire that the Public Prosecutor should take up such a matter as this as a question of duty. I do not think Parliament would agree to it.

*LORD GRIMTHORPE: Perhaps the Bishops would like to undertake it in addition to their duties under the Clergy Discipline Act.

THE BISHOP OF LICHFIELD: This is one more symptom of weakness in the Act. I think all this is in the wrong direction. Too much importance is attached to obtaining information. Everybody knows very well that nobody will come forward to give information in such matters as these merely in the public interest. What is everybody's business is nobody's business.

*LORD GRIMTHORPE: Another slight Amendment which I propose is with regard to the word "committal." I cannot find the word "committal" used in this sense in the dictionary. We have the commission of offences but the committal of offenders. I therefore propose to insert the word "commission" in its place.

Amendment moved, in page 4, line 22, to leave out "committal," and insert "commission," agreed to.

Clause, as amended, agreed to.

Clause 16.

*LORD GRIMTHORPE: This clause will come out here as the interpretation clause has been put in at the beginning.

Amendment moved, "To leave out Clause 16."—(*The Lord Grimthorpe.*)

Agreed to.

Clause 17.

*THE BISHOP OF LONDON: I wish to add to this clause "or to marriages celebrated by special licences granted by the Archbishops." It is necessary to clearly exempt the Archbishops from the operation of this Act.

*LORD GRIMTHORPE: Surely that is done already by Clause 9, and by the addition which the right rev. Prelate has already moved. That was done for the express purpose of keeping those powers alive.

*THE BISHOP OF LONDON: If the noble and learned Lord thinks that is enough I do not want to add it.

*LORD GRIMTHORPE: I have no objection to one of them, but the two together seem to be unnecessary.

THE LORD CHANCELLOR: Here again, although I feel the same reluctance to intervene, I will point out that the first part of Clause 17 was not necessary at all, because an Act of Parliament does not bind the Crown. With reference to the second part also I am not at all certain that it is required.

*THE BISHOP OF LONDON: Perhaps it would be better to strike it out now. We can re-insert it in Committee.

*THE ARCHBISHOP OF CANTERBURY: It might be well to leave that proviso in now.

Amendment moved,

At the end of the clause to add ("or to marriages celebrated by special licence granted by the Archbishop of Canterbury or his successors referred to in statute 4 George IV., chapter seventy-six.")—(*The Bishop of London.*)

Agreed to.

Clause as amended agreed to.

Clause 18.

*LORD GRIMTHORPE: There is an unnecessary quantity of description in the first line of this clause. It looks as if a new Act were referred to, whereas it is only the Act called "the principal Act" which has already been referred to in the Preamble. Surely it would be better to say "the provisions of the said Act are hereby repealed so far as they are inconsistent with the provisions of this Act and no further."

The LORD CHANCELLOR: But surely this is mere drafting. It can all be dealt with in Standing Committee.

*Lord GRIMTHORPE: As the Chairman has pointed out "the said Act" has been struck out in the last clause, and we should only be repeating it. I propose the Amendment now and we can alter it hereafter, if necessary.

Amendment moved, to insert, "That the provisions of the said Act be repealed."

Agreed to.

Other Amendments made.

Clause, as amended, agreed to.

Clause 19.

*Lord GRIMTHORPE: There is something in this clause which I should like to alter. It provides in line 8 that copies of the Act shall be sent "to the officiating ministers of the several ecclesiastical parishes in England." What I suppose it means is to the ministers of every parish in England. I propose, therefore, to make the alteration.

Amendment moved, to omit the words "the several ecclesiastical parishes," and insert "every parish."—(*The Lord Grimthorpe.*)

Agreed to.

Schedules.

Amendment moved, in page 6, to leave out Schedules A and B.—(*The Lord Grimthorpe.*)

*The Bishop of LONDON: I hope the noble and learned Lord will be willing to leave the Schedules in. I did not myself intend to engage the House in mere drafting. Of course, it can be considered in Standing Committee.

*The LORD PRESIDENT of the COUNCIL (Viscount Cranbrook): I do not think we need go into this now. It might be left for the Committee, and I would advise the right rev. Prelate to be ready with a form in the Schedule, which can be easily filled up and signed by those who desire to have banns published.

Amendment, by leave, withdrawn.

Preamble.

*Lord GRIMTHORPE: The Preamble is quite contrary to modern usage, and it is quite enough to put in "Whereas it is expedient to amend the Act," and so on, leaving out the other two paragraphs.

The Earl of KIMBERLEY: Might I suggest that the whole of it might very well be left out. I am told that in well-drawn Bills a Preamble is now omitted. If they say anything, they may do harm, and if they do not say anything, they are of no use. I am informed they are never put in now, as they are never any good.

On Question, "That this be the Preamble of the Bill," negatived.

Bill re-committed to the Standing Committee, and to be printed, as amended. (No. 102).

COLONISATION.

QUESTION.—OBSERVATIONS.

*The Earl of MEATH: My Lords, I desire to draw your Lordships' attention to a Report of the Committee on Colonisation appointed by the House of Commons which has lately been laid before Parliament, and to ask Her Majesty's Government certain questions which I have placed upon the Notice Paper. It will be in the recollection of your Lordships that within the last ten years public opinion has slowly but certainly been increasing in regard to the necessity of demanding some assistance from Her Majesty's Government for the purpose of enabling poor but suitable persons to transfer their labour from this country, where in certain cases it is not needed, to other countries where it can be made available for the benefit both of the individuals who emigrate and of the general community. In this country there are certain districts as your Lordships' are aware in which the population may be said to be in a very congested condition, as for instance some districts in the Highlands of Scotland, certain places in the West of Ireland, and certain portions of our large towns. It has been felt by many that if this congested population could by some means be transferred to those broad and fertile fields which are to be found in Her Majesty's Colonies, fields which are awaiting labour, and which at present are unfruitful owing to the impossibility of getting hands sufficient to cultivate them, a double benefit would be conferred; a benefit would be conferred upon this country by enabling those left behind to earn higher wages, and a benefit would be conferred upon the colonies by enabling them to develop the immense resources which lie at their command, while at the same time a further benefit would be conferred upon the artisans of this country, inasmuch as those who transfer themselves to the distant shores of Canada or Australia having acquired British tastes would certainly buy British products, and would thus create those markets which it is necessary for this country to possess. I would desire to lay great stress upon the difference between simple emigration and colonisation. The colonies have shown over and over again that they do not desire that large masses of the population of this country should be sent to their shores without any care being taken to see that they do not glut the labour markets of those distant countries; but they have never shown any hostility to colonisation, when colonisation has been explained to them to mean the placing of suitable persons with their families upon those uncultivated lands, and enabling those people by providing them with houses, with seed, with implements, and with sufficient funds to tide over the time until the crops which they have sown shall bring in the reward of their labour. I say that when the colonies have been shown that this can be done, they have always received such propositions with favour. This public feeling gradually increased until it resulted in the formation of a body which was created for the purpose of urging upon Her Majesty's Government the adoption of some such policy as that which I have sketched, and in 1886 Her Majesty's Government took the first step towards assisting colonial emigration by the establishment of an Emigration Office, which since that time, at a small expenditure of £500 a year, has done most valuable service—service which is recorded in the Report to which I desire to draw your Lordships' attention. It is one of the recommendations of the Committee on Colonisation which issued the Report that this office should be continued, and that the amount given to it should be increased. In 1887, the year after the formation of this Emigration Office, 32 Peers and 135 Members of the House of Commons formed themselves into a body for the purpose of still further urging Her Majesty's Government to consider the advisability of giving increased aid to colonisation. The result of this was that Her Majesty's Government in the following year undertook to establish a scheme of Crofter Colonisation, and gave £10,000 for that purpose (placing the scheme under the direction of the Scotch Office), on condition that £2,000 were subscribed from other sources. Four Commissioners were appointed by Her Majesty's Government to constitute this Colonisation Board, one representing the Imperial Government, one representing the Canadian Government, one representing the private subscribers, and another representing three of the principal Land Companies in Canada. It was proposed at the time to make advances of £120 to each family. The repayment of that sum was to be made in eight annual instalments at the rate of £20 17s. 8d., and the first repayment was not to be asked for until the fifth year. In the Report to which I am alluding, your Lordships' will see it is stated that this £120 has not been found sufficient, and it is now thought that from £150 to £180 per family is what will be required, the repayment of that sum being secured on the 160 acres of land which the Canadian Government gives free to any person who chooses to settle upon them. Seventy nine families have thus been settled in Manitoba by Her Majesty's Government in 1888 and in 1889. In 1888 the Colony of Killarney was established; and in the year following the colony of Saltcoats, which is about 200 miles further to the West beyond Killarney. The next step, I have to mention, taken by Her Majesty's Government, was to appoint in 1888 the Select Committee, which has drawn up the Report I am now inviting your Lordships' attention to, and whose Chairman was Sir Jas. Fergusson. That Committee consisted of 21 Members. This is the third Session that the Committee have sat. They have examined a large body of witnesses, 54 in number, they have entered into the question with the greatest possible care, they have heard the opinions of persons possessing very different views—those who advocate emigration and those who hold with colonisation; and I am thankful to say as one, who, from the first has advocated colonisation, that the Report of the Committee appointed by Her Majesty's Government was distinctly in favour of State Colonisation. At the conclusion the Report states—

> "The Committee are of opinion that the success of the Canadian experiment is sufficiently established to justify a further despatch of a moderately numerous party."

With regard to the advantage of colonisation over emigration the Report says—

> "That Colonisation would seem to be the remedy which is most acceptable in the majority of cases, and one which would meet with the least resistance in our Colonies and elsewhere."

I am not at this late hour going to detain your Lordships at any length, but I simply propose to draw your attention to the three principal recommendations made by this Committee. The first and most important to my mind is the recommendation made by the Committee that Her Majesty's Government should accept a proposal made to them by the Colony of British Columbia which has asked for an advance of £150,000 bearing interest at 2¾ per cent. and guaranteed by that flourishing colony. This offer for some reason or other was not accepted at the time it was made, and I do not understand why Her Majesty's Government failed to accept an offer which to my mind seems a most favourable one considering what are the resources of this flourishing colony, and considering that the colony were going to take the entire responsibility of placing some 1,250 families upon the land. I hope now, the Report being so distinctly in favour of this proposal, that Her Majesty's Government will re-consider the decision which they came to, as far as I understand they did come to a decision formerly, with regard to this matter, and that they will grant the request which has been made to them by that colony. The Report states with regard to that matter—

> "That project"—

that is, the proposal of the Colony of British Columbia—

> "Presents the rare recommendation that it demanded from the public purse or from local funds no assistance beyond the Imperial loan, the repayment of which is guaranteed by a solvent and promising Province, which seems to possess ample resources for the settlement of a large population."

The Report goes on to say—

> "Your Committee think that in no way could the object recognised as necessary be obtained with less outlay or risk to the National Exchequer, and they can conceive of many considerations in which the colonisation of British Columbia by a maritime population would appear to be desirable in the interests of the British Empire,"

and they conclude by saying they recommend the offer of British Columbia to the favourable consideration of Her Majesty's Government and Parliament. Then the next and most important matter, to my mind, is the recommendation of the Committee that Her Majesty's Government should not require County Councils, when they borrow money for colonisation purposes, to obtain a local guarantee. The Committee state, and justly state, that the only local guarantee they could obtain would be the local guarantee of the Poor Law Authorities; and, as Her Majesty's Government are well aware, it is most inadvisable that colonisation should be in any way mixed up with the taint of pauperism. I hope, therefore, Her Majesty's Government will make the necessary alteration in regard to this matter in the Local Government Act of 1888, which granted powers to the County Councils to expend money for colonisation purposes, but required them to have a local guarantee before they advanced such sums. Then the third, and a most important recommendation, is that the crofter emigration experiment should be tried in Canada; and the fourth is that the emigration of children, especially through the industrial schools, should be encouraged. There are several other recommendations, but I will not go into them now. I will conclude by asking Her Majesty's Government whether they will consider the advisability of adopting any of the following recommendations contained in the Report of the Colonisation Committee of the House of Commons, and, if so, which of them:—(1) That the Colonisation Board be continued and re-constructed for the purpose of colonisation and emigration; (2) That the congested districts of Scotland, and of the Highlands and Islands of Scotland, form an exceptional case, and require relief by assistance in industries, to colonisation or emigration, and where suitable to migration; (3) That the experiment of colonising the crofter population in Canada should be further tried; (4) That the proposals of the Government of British Columbia (for an advance of £150,000, to bear interest at 2¾ per cent., for the purpose of assisting the colonisation of 1,250 families from this country) should be favourably entertained; (5) That similar proposals from any Colonial Government should be entertained; (6) That the agency of companies for colonisation and emigration should be taken advantage of, both as regards the aforesaid colonisation in Canada and elsewhere; (7) That the Government grant to the Emigrants' Information Office should be increased; (8) That facility and assistance should be given to further the emigration of children; (9) That the Treasury should grant pecuniary aid to industrial and other schools to assist in carrying out the above object.

*THE SECRETARY OF STATE FOR THE COLONIES (Lord KNUTSFORD): My Lords, the speech of the noble Earl has shown what probably your Lordships would not be prepared to dispute—the importance of this subject. I do not think he has quite dwelt sufficiently upon certain difficulties which surround the question, difficulties which must be obvious to anyone who has studied not only the evidence given in the Report of this Select Committee, to which his question refers, but also the Reports and the proceedings of preceding Committees. This Select Committee only reported on the 17th March, and it is obvious, therefore, that Her Majesty's Government have not yet been able to give that full consideration to the question which would enable them to answer conclusively the noble Earl as to whether we are prepared to accept any or all of the recommendations which the Committee have made. It is clear, in the first place, that before Her Majesty's Government can arrive at any decision upon this question, the recommendations of the Committee and their Report must be referred to the several Departments which are directly interested in the question, as, for instance, the Scotch Office, the Irish

Office, and the Treasury, who will, after full consideration, present us with their Reports. Now, as regards the Scotch Department, I may refer to the answer which was given by the Lord Advocate on Monday, April 20th, in the House of Commons in answer to a question whether the Secretary of State had been in communication with the Government of Canada or other Colonial Governments, in order to complete arrangements as to colonisation. The Lord Advocate answered that—

> "The consideration of all proposals for State-aided emigration from the congested districts of Scotland was postponed by the Government till they had before them the Report of the Select Committee on Colonisation. That Committee has lately issued its Report, and the Government have now under consideration the recommendation which it contains."

I believe that further communication and correspondence have taken place with the Scotch Office, and possibly the Marquess of Lothian, if it is desired, will state at what stage the matter has arrived. I may also refer the House to the answer which was given by the right hon. Mr. Smith in the House of Commons, in answer to a question of much the same tenour as the one now put by the noble Earl, but confined to the proposals of the Government, by Mr. Parker Smith. He stated that—

> "The Government have not yet had sufficient time to fully consider the Report of this Committee, but it is obviously too late this year to select families for emigration. It will, however, be necessary for the Government, before the autumn, to go into the question, if emigration is to take place before spring, and I hope it may be in my power before the House finally rises to make some statement of our intentions."

Therefore, my Lords, the general reply to the noble Earl's question is that Her Majesty's Government have not yet had time to give full consideration to the matter; but he may rest assured that we recognise the importance of the subject, and that we will as soon as possible arrive at some decision upon it. I may say that, as far as I am aware, Her Majesty's Government concur with the noble Earl upon this point; that they view with greater hope of success any system of colonisation than that of mere emigration; and as regards the crofters, as the noble Earl himself has pointed out, the Government have shown their complete approval of the principle of assisted emigration for congested districts by the action they have taken in two successive years. I have no reason to suppose that the Government have in any way changed their views; but, on the contrary, I should think they would be willing to consider how far that system, which I gather from the noble Earl has worked well, can be extended. With respect, also, to the proposal of British Columbia, the Report of the Select Committee shows that the terms which the Treasury desired were not agreed to—I think it was a question of amount of interest —but it is clear from that Report, and from what has passed, that Her Majesty's Government viewed with favour a proposal of that kind from a province so well able to ensure the performance of their agreement as British Columbia, or from any colony equally able and willing to give such ensurance. I think I may add with reference to the question, why nothing has been done since 1888, when Mr. Begg first communicated with Her Majesty's Government, that, as I think was announced by the right hon. Mr. Goschen in the other House, it was thought better, as a Select Committee had been appointed, that before agreeing to any proposal Her Majesty's Government should wait until the Select Committee had reported. I believe that Mr. Begg is corresponding now with the Scotch Office, and that further proposals have been laid before them, and I can assure the noble Earl we sincerely hope that some satisfactory arrangement may be made not only with British Columbia, but on similar terms with other colonies. Before I sit down I should like to express my hearty concurrence with the noble Earl in his praise of the excellent work that is done by the Emigrants' Information Office, and to say also that I hope we may be able to induce the Chancellor of the Exchequer to increase the very moderate sum which is now given to it, so that we may have branches established in the principal towns in the country. I can assure the noble Earl that most careful consideration will be given to the subject, as we fully recognise its importance.

*The Duke of ARGYLL: My Lords, when I saw this Notice on your Lordships' Paper, in the name of the noble Lord on the Cross Benches, I thought that probably he would not merely put a formal question as to whether the Government could or would adopt the recommendations of the Committee, but that he would also go somewhat into an examination of the remarkable evidence which is contained in that Report and summarised in it; and I came down to the House to-night prepared to lay before your Lordships some very interesting and important facts with which I am personally acquainted, in addition to those brought forward before the Committee, and showing the immense importance of the subject, at least as regards particular districts in Scotland. But really, my Lords, I think in the present condition of the House, it would be absurd to go on with a discussion which could only be very languid and perfunctory. Many noble Lords have left the House who would probably be interested in the districts which I have mentioned. The noble Lord on the Cross Benches has not entered upon that part of the subject at all; he has simply dealt with the recommendations of the Committee. I must say that better work has never been done, in my judgment, by any Committee of the House of Commons than that which sat and produced this Report. I think it a matter of extreme importance that the House should be put in possession of the facts, this being a matter which affects many local interests. Many Members of the House, probably, have not read the evidence, which is bulky, and I shall certainly propose, at a later day in the Session, to bring the matter specially before the House, not merely with reference to these recommendations of the Select Committee, but with regard to the facts which they had in evidence before them. I was very glad to see that this subject had been taken up by the noble Lord on the Cross Benches, because his name is a sufficient guarantee that it was taken up with no merely political or Party object, and not in reference to fads of any kind, but that it was a matter of pure philanthropy and benevolence on his part, for he is well-known now to be connected with the work of practical philanthropy—more so, perhaps, than any other Member of this House. At the same time, we cannot shut our eyes to the fact that propositions with regard to emigration have been more or less connected with political questions at the present time, and, therefore, I think it would be better, in bringing the question before the Government, that we should lay before them our view of the facts with which they have to deal. Some of the facts connected with the question of colonisation, and of emigration of the crofters from the Highlands and Western Islands of Scotland, are very remarkable, more especially in reference to Lewis. I shall not go into them to-night, but simply give notice that on a later day I shall call the attention of the Government to this subject, and to the Report of the Select Committee.

THE MARQUESS OF LOTHIAN: The noble Duke who has just sat down was kind enough to give me notice that he intended to bring this matter before the House with regard to the reforms in Scotland; but as he has told your Lordships, he proposes to defer the question mentioned in his notice to a later period in the Session, I think it is unnecessary for me to enter upon the subject of it. At the same time, I should like to say a few words with reference to the question which has been put by the noble Lord on the Cross Benches to the noble Lord the Secretary for the Colonies with regard to emigration, or rather, colonisation. He has drawn your attention to the very able Report of the Committee upon that subject, and it is exceedingly gratifying to me to find, after all the care which the Committee gave to the consideration of the questions with regard to colonisation and emigration, it is distinctly stated in their Report that the success of the experiment in Manitoba had been so so decided as to induce them to recommend that the scheme should be further continued. I cannot go fully into the matter now; perhaps on some future occasion I shall have the opportunity of doing so; but I may mention to your Lordships the great difficulties which I had in carrying out that scheme. The principal difficulty was caused by the fact that Her Majesty's Government were then unable with the information at their disposal to give me the funds necessary for carrying out the scheme at the proper time of the year. With regard to the observations which the Secretary of State for the Colonies has just made, I hope to be able to induce the Chancellor of the Exchequer to put funds at my disposal at such a time of the year as will enable the scheme to be carried out successfully. If the scheme is to be successfully carried out, the funds must be placed at our disposal at a proper period of the year, before the emigrants go out. In order to make the scheme successful, it is absolutely necessary that the ground should be prepared for occupation. One of the principal difficulties experienced was that when the crofters went out, the ground, in consequence of the shortness of the time, could not be prepared. The time for preparing it is in the month of June. The soil being virgin in those places requires to be turned over twice, once in June and once later in the autumn. With the view of turning over the soil and making the necessary preparations, it is absolutely essential we should be in a position to know how many families are to be emigrated. We cannot spend money in turning over the soil upon these different holdings in Canada without knowing whether they are going to be occupied or not, and, therefore, it is perfectly clear that if necessary preparations are to be made we must know within two months of the time, at the very least, how many families are to be emigrated during the year. If that is not done the experiment must be carried out at greater cost than is necessary and at the risk of the grumbling on the part of the crofter families who are being sent out which we have constantly heard of. There is another reason why I think it is exceedingly desirable that nothing should be done hurriedly, because unless preparations are made in such a way as to enable the emigrants to rely upon themselves during the winter months it will be necessary to provide for them in the way of clothing and the means of substenance. That strikes away the principal object in sending them out, namely, teaching them reliance upon themselves, and to provide for themselves and their families. For every reason, being exceedingly anxious that these recommendations of the Committee in their Report should be carried out, it being necessary that a further sum should be placed at my disposal for that purpose, and also that the scheme proposed by the Colony of British Columbia should be carried into effect, I am anxious, if the scheme is to be carried out at all, that the money should be placed in our hands at the earliest possible moment.

*THE EARL OF MEATH: My Lords, I am very grateful, indeed, to the noble Lord opposite for having promised that Her Majesty's Government will take this subject into serious consideration, and also to the noble Marquess for all he has said. I feel, that if anything is to be done, as the noble Marquess has said, it ought to be done by the Government at once, because between now and June is not a long interval, and there is no time to be lost. Therefore, I sincerely hope that Her Majesty's Government will take this matter into their serious consideration at the earliest possible moment.

INTERMEDIATE SCHOOLS, &c. SITES BILL.—[H.L.] (No. 94.)

Amendments reported (according to order).

*LORD NORTON: My Lords, before accepting the Report I merely wish to ask the noble Lord who has charge of this Bill whether he will on the Third Reading introduce a clause to define its object? In a Bill dealing with limited and trust property the object should at least be defined. In this Bill, for conveyance of sites for intermediate schools or other schools sanctioned by Act of Parliament, there is no definition of what such schools are meant to be, nor of the body to whom the sites are to be conveyed. In the Welsh Intermediate Schools Act there are definitions of both, but only as respects that particular Act. Elementary Schools are distinctly defined in the Act of 1870, and I can perfectly well remember in the Office that the definition was often found most useful in withstanding constant attempts to set up private and profitable establishments under the name. There are now unlimited schemes for private advantage under the name of public education, and the Chancellor of the Exchequer announced only yesterday that, besides his late appropriation of Votes for other purposes to technical education, he is about to propose, under the name of free education, that everybody should be taxed for the education of those who want any kind of education at all publicly provided for them. I maintain that it is a most dangerous mode of dealing with this subject to have no definitions making it clear what the objects of the Bill are. This Bill must have some definition of what it means by intermediate schools, or any schools sanctioned by the Act. It might for the first phrase adopt the Welsh definition; for the last, Heaven knows what it means. I would, therefore, ask the noble Lord who has charge of the Bill whether he will promise, on the Third Reading, that he will introduce a clause defining the object of his Bill?

*LORD STANLEY OF ALDERLEY: The noble Lord wishes to have a definition of intermediate schools. In the private notice he has given me he says the Act of 1889 contains no definition of an intermediate school, but I would point out to him that the whole Act of 1889 is definition. Among the definitions there are five or six lines of what intermediate education is intended to be for the purpose of the Intermediate Schools Act. The noble Lord says there is no definition in the words "any sanctioned by Act of Parliament and in receipt of aid or monies provided by Act of Parliament," those words were given by the Education Office, and originally stood, "as provided from the Consolidated Fund," but the Chairman of the Standing Committee altered that to "monies provided by Act of Parliament." In deference to the wishes of the noble Lord, I have prepared an additional clause with that definition, but the noble Lord the Chairman of the Standing Committee says it is unnecessary; and, therefore, I do not propose to move it. If the noble Lord thinks it necessary, he can move it on the Third Reading. The Bill has been considerably altered in Standing Committee, and I wish to take this opportunity of thanking Lord Kensington for the support he gave to the Bill which concerns Wales especially. The noble Lord the Chairman of the Standing Committees has made an improvement in a part of this Bill, which is nothing but a *verbatim* transcript from the Public Worship and Burial Sites Act, by amending it so that if part of the land is not used that part, but only that part, should revert to the use of the owner. I regret that other Amendments have been made which I think take away a large part of the usefulness of the Bill. In the case of a minor land cannot be given, it must be sold. This alteration is principally due to the wishes of my noble Friend who now represents Mr. Gladstone in this House. But I must say that on this occasion he has not represented Mr. Gladstone properly, because Mr. Gladstone has on all occasions shown a wish to please the Welsh people, and to obtain these schools is an object which they have very much at heart. I have examined into the matter, and have found that there are not many cases of minors in Wales to which this will apply; but there is one place asking for an intermediate school where I believe all the land belongs to one owner, and the provisions of this Bill will prevent him giving the land, or will furnish him with an excuse for not granting it. What I have seen in the Standing Committee has I must confess increased my objections to them very much; but I will reserve my remarks in that respect until some occasion when the noble Marquess the Prime Minister is in the House, or until some other noble Lord raises the question.

THE EARL OF KIMBERLEY: My Lords, I only desire to say that I was not the only person who made an objection to this clause of the Bill. I believe the first person who made an objection to it was Lord Herschell, who is not here. Though I quite sympathise with the desire of the Welsh people to obtain these sites for their schools, I do not think it is necessary, in order that their legitimate desires in that direction should be satisfied, that the property of minors should be taken away without proper payment being made for it. It seems to me unreasonable that the property of minors who cannot themselves consent to a gift should be taken away from them by other persons. They can sell the property, and that seems quite sufficient for the purpose of the Bill. As regards the Standing Committees, I think my noble Friend will find there are some noble Lords at all events in this House, at all events who think the Standing Committees are very useful; and I cannot help thinking that the experience we have had this evening in Committee on the Marriage Bill must have caused a great many people to wish that the Bill had gone to a Standing Committee instead of coming before a Committee of the whole House.

Bill to be read 3ª on Monday next.

MERCHANDISE MARKS BILL.—(No. 86.)

House in Committee (according to order): Bill reported without Amendment; and re-committed to the Standing Committee.

TAXES (REGULATION OF REMUNERATION) BILL.—(No. 93.)

House in Committee (according to order): Bill reported without Amendment; Standing Committee negatived; and Bill to be read 3ª on Monday next.

LONDON (CITY) TRIAL OF CIVIL CAUSES BILL.

Brought from the Commons; read 1ª; to be printed; and to be read 2ª on Monday next (*The Lord Chancellor*). (No. 103.)

PRESUMPTION OF LIFE LIMITATION (SCOTLAND) BILL.

Brought from the Commons; read 1ª, and to be printed. (No. 104.)

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have added to the Standing Committee the Lords following:—

M. Bath.
M. Ripon.
E. Winchilsea and Nottingham.
E. Dundonald.
E. Yarborough.
E. Strafford.
E. Ravensworth.
V. Sidmouth.
L. Lovaine. (*E. Percy.*)
L. Carrington.
L. Poltimore.
L. Leigh.
L. Belper.
L. Sandhurst.
L. Harlech.
L. Rowton.
L. de Vesci. (*V. de Vesci.*)
L. Northington. (*L. Henley.*)
L. Rothschild.
L. Sandford.

Read, and ordered to lie on the Table.

House adjourned at a quarter before Seven o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 24th April, 1891.

The House met at Two of the clock.

QUESTIONS.

BURNING OF VILLAGES AT MASTAON.

Colonel NOLAN (Galway, N.): I beg to ask the Under Secretary of State for India if his attention has been called to a paragraph in the *Times* of the 22nd, stating that villages had been burned on or near the Mastaon Plateau; whether this statement is correct; and, if so, how many villages have been burned; whether these villages have been burned as a punishment or from military contingencies; and, further, if as a punishment, whether as a punishment for simple resistance or for some specific act of treachery committed by the village burned; and if the villages have been burned owing to military contingencies, would he state the nature of such contingencies, giving such data as would enable a comparison to be instituted with similar unavoidable accidents in European warfare?

*The UNDER SECRETARY of STATE for INDIA (Sir J. Gorst, Chatham): The Mastaon Plateau is not in Manipur, but on the Afghan frontier. The Secretary of State has not received yet such detailed information respecting the military operations in that part of India as would enable him to reply to the various points in the hon. Member's question.

Colonel NOLAN: When will the Secretary of State be in possession of such information?

*Sir J. GORST: My noble Friend the Secretary of State for India has the greatest confidence in the humanity and discretion of the Government of India, and he will not press them with questions which would seem to imply a want of confidence. There is no doubt that full Reports will come home in due course, by post, and when they are received they will be laid before Parliament. It will then be in the power of the hon. and gallant Member, if he wishes to find fault with the Government of India, to do so.

Colonel NOLAN: I wish for a plain answer to a plain question. When will the Secretary of State for India be in the possession of such information as will enable him to answer the question? Will it be a week hence, or a month, or how long?

*Sir J. GORST: It is obviously impossible for the Secretary of State to form any conjecture as to when the Reports may be sent to him. I think that the hon. and gallant Member ought to be much more able to form an estimate than I can.

Colonel NOLAN: Is it not usual to write a despatch within a week after an engagement? Is that the custom in India?

*Sir J. GORST: I am not able to answer a question as to the military customs of India without notice. I should say that the General commanding in the field would send in a Report as soon as was possible consistently with the proper discharge of his duties in the field.

THE OPERATIONS AT MANIPUR.

Colonel NOLAN: I beg to ask the Under Secretary of State for India if he will state who has given their instructions or orders to the officers commanding columns operating in Manipur; and if the conduct of all operations, civil or military, in Manipur is at present in the hands of the Military Authorities, or if civil officials exercise any authority in Manipur, or are furnished with any instructions giving them power in that district if the military operations should be successful?

*Sir J. GORST: The answer to the first paragraph of the question is—the Commander-in-Chief in India. The answer to the question contained in the second paragraph is that all operations in Manipur are in the hands of the Military Authorities at present.

THE FACTORY LAWS IN INDIA.

Mr. HOWELL (Bethnal Green, N.E.): I wish to ask the Under Secretary of State for India if he will give a Return, in addition to the Return already presented to the House, showing the operation of the Factory Law in India? What I want is a Return that shall show what the alterations in the law have been.

*SIR J. GORST: The Return which I have already given to the House shows, I believe, the changes which have been made in the law, as well as the existing law.

MR. HOWELL: If the right hon. Gentleman will look at the Return, I think he will find that it is only the changes in the law which are given and not a comparison between them and the law as it stood previously.

*SIR J. GORST: If the hon. Member will put a question on the Paper, I shall be happy to give him all the information he may require on any point he can suggest.

BILLETING OF SOLDIERS.

MR. BROOKFIELD (Sussex, Rye): I beg to ask the Secretary of State for War whether he can state the present rates of pay authorised to keepers of licensed houses for the board and lodging of soldiers billeted upon them; at what period such rates of pay were originally decided upon, and whether they have of late years been revised or altered; and whether, before he next introduces the Army Act for renewal, he will consider the expediency of either improving the present rates of pay or extending the obligation to receive soldiers and their horses to the houses of any other persons besides those enumerated in Section 104 of 44 and 45 Vic. c. 58?

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): The sum paid to the innkeeper until 1868 was 10d., from which sum it was raised to 1s. 4d. in 1873, and has remained at that amount since. From the known cost of supplies, which have fallen since 1873, there is every reason to believe that this sum affords a fair profit to the innkeeper, and the only complaint received has been from one innkeeper, who complained that he had been struck off the list for billets. The Secretary of State does not propose to introduce any change in the Army Act.

THE LABOUR COMMISSION.

MR. HOWELL: I beg to ask the First Lord of the Treasury whether Mr. John Burnett, the Labour Correspondent to the Board of Trade, is appointed one of the Joint Secretaries to the Royal Commission on Labour; and whether, in view of the fact that the work of the Labour Bureau is much in arrear, the Reports for 1889 not having yet been issued, some substitute for Mr. Burnett, or temporary helper in that work, has been or is about to be appointed in that office?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): Mr. John Burnett, Labour Correspondent to the Board of Trade, has been appointed one of the Joint Secretaries to the Royal Commission on Labour, and the President of the Board of Trade will doubtless provide Mr. Burnett with assistance in the work of the Labour Bureau if it is found that he requires it.

SAMOA.

SIR T. ESMONDE (Dublin County, S): I beg to ask the Under Secretary of State for Foreign Affairs if there is any anticipation of trouble at Samoa in connection with Mataafa's succession to King Malietoa; and, if so, whether steps are being taken by Her Majesty's Government to meet it?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The most recent reports received from Samoa are satisfactory, and do not lead us to anticipate any trouble.

THE PORTUGUESE IN SOUTH AFRICA.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government has received from the Portuguese Government any complaints of a violation of the *modus vivendi* on the part of the agents of the Chartered South African Company; whether specific complaints have been made of the imprisonment and deportation of Portuguese Officers by the agents of the company; and, if so, what reply has been made to the complaints; whether Masse Kesse is within the territory that was agreed to be within the Portuguese sphere by the *modus vivendi*, and whether its occupation by the agents of the company constitutes a violation of the *stutus quo* agreed to in that instrument; and whether the company has obtained the permission of Her Majesty's Government to exercise power in Manicaland; and, if not, what is the exact *status* of agents of the company exercising power in that territory as regards Her Majesty's Government and as regards the Portuguese Government?

Sir J. FERGUSSON: (1) Such complaints have been made, but it has not been shown in what respect the *modus vivendi* has been violated; (2) only one such complaint has been made referring to the reported arrest of Lieutenant Freira in January. The Company has denied the arrest, but further inquiry is being made; (3) Masse Kesse is outside the territorial limits of the British sphere indicated in the August Agreement, and it would have been a violation of the *modus vivendi* if Great Britain had accepted a Protectorate there, or exercised Sovereignty. There has been no such Act. There is nothing in the *modus vivendi* which would prevent the presence of Masse Kesse of the Company's agents. We are assured that the fact is that the Mozambique Company's vacant buildings are protected by four policemen, who have been ordered to give them up when the Portuguese arrive; (4) the Company is not exercising powers of Government in Manicaland. The Government is, by the Convention with Mutassa, expressly reserved to the Chief, with the assistance of the residents and the Company's police.

EAST AFRICA COMPANY.

Mr. LABOUCHERE: I also wish to ask the right hon. Gentleman whether any application has been made to the Government by the Imperial British East Africa Company to guarantee the capital for a railroad to be made under its auspices; and whether any assurance has been given to the Company, or to anyone connected with the Company, that such a guarantee will be granted; and, if so, whether he will undertake that no definite promise will be given before the House has had an opportunity to consider its expediency?

Sir J. FERGUSSON: Such an application has been made, and is under consideration. Parliamentary sanction would, of course, be required before such a guarantee can be carried into effect.

KING JA JA.

Sir WALTER FOSTER (Derby, Ilkestone): I beg to ask the Under Secretary of State for Foreign Affairs whether King Ja Ja's health has been improved by his removal to Barbados; whether any steps have been taken to enable his wife to join him there; and whether any deductions have been made from his allowance for personal expenditure since his removal from St. Vincent?

Sir J. FERGUSSON: The reports of Ja Ja's health are not good, and as the administrative Staff for the Oil Rivers Commission is now organised and the Commissioner will shortly start for his post, he has been informed, with the Commissioner's approval, that he will be permitted to return at once to Opobo. It is understood that the wife refused to accompany him to Barbados or to Opobo. We are not aware of any deductions from the allowance.

CYPRUS.

Mr. A. O'CONNOR (Donegal, E.): I beg to ask the Under Secretary of State for the Colonies why the Return relating to Enforced Sales in Cyprus, ordered on the 25th July last, has not yet been rendered; and when it will be laid upon the Table?

The UNDER SECRETARY of STATE for THE COLONIES (Baron H. de Worms, Liverpool, East Toxteth): The materials for a Return in the terms of the Address were received some time ago; but would have been of little value without further particulars which have been asked for and promised. The delay in sending the further particulars is due to the fact that there is a scarcity of public officers. In the meantime, I can show the hon. Member what information we have.

PLACES OF WORSHIP ENFRANCHISEMENT BILL.

Mr. KELLY (Camberwell, N.): I beg to ask the First Lord of the Treasury whether, in view of the overwhelming majority by which the Motion for the Second Reading of the Places of Worship Enfranchisement Bill was carried, and of the technical character of the Amendments which are likely to be made in its provisions in Committee, he would be willing to agree to a Motion to refer it to the Standing Committee on Law, &c.

*Mr. W. H. SMITH: Unless it is the unanimous wish of the House it is not usual to refer a private Member's Bill to a Select Committee, such reference being confined to Government measures. The question is, therefore, essentially one for the decision of the House, as the Government have no particular interest in the Bill to which the hon. Member refers.

FEVER AT RANAFAST.

Mr. A. O'CONNOR: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland with reference to his statement on Thursday last, that fever does not exist in Ranafast, and that, though an outbreak of scarlatina had occurred in the Dungloe Dispensary District, it was practically over on the 25th March, whether he is aware that the dispensary doctor did attend 11 cases of fever in Ranafast on the 21st instant, eight of them being scarlet fever cases; and that two brothers from a neighbouring townland, who died suddenly of scarlatina, were buried on the 21st instant; whether, seeing that his previous information was incorrect, he will cause further inquiry to be made through fresh channels; and whether he requires to see the doctor's certificates in confirmation of the above statements?

The CHIEF SECRETARY for IRELAND (Mr. A. J. Balfour, Manchester, E.): The statement which I made last week gave correctly what had occurred up to that time. I have now called for a further Report.

Sir T. ESMONDE: My hon. Friend will repeat the question on Monday.

LAND COMMISSION—WEXFORD.

Mr. J. BARRY (Wexford, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the Chief Land Commission has appointed 3rd June next to hear appeals from the decisions of the Sub-Commission for County Wexford; if he is aware that there are upwards of 100 appeals listed from the Poor Law Union of Wexford alone, and, whether, considering the enormous expense and inconvenience of bringing the tenants and their witnesses to Dublin, he would suggest to the Land Commission the desirability of hearing these appeals in the Assise town of Wexford.

Mr. A. J. BALFOUR: This question is down without Notice, and I have not been able to obtain the necessary information to enable me to answer it. Perhaps the hon. Gentleman will be good enough to repeat it.

OLDPARK, BELFAST.

Mr. BLANE (Armagh, S.): I beg to ask the Secretary to the Treasury is he aware that Mr. E. Murphy, Arbitrator to the Local Government Board, sat on the 1st June to hear claims for compensation *re* the Belfast Water Commissioners and property owners and occupiers in Oldpark, near Belfast; that the final hearing of objections was held on 28th October, 1890, and the final award only made on 6th April, 1891; whether Mr. Murphy lodged a copy of this final award with the solicitors for the Water Commissioners two months before it was signed by him for the purpose of enabling the Water Commissioners to consult Counsel with reference to the Act, which came into force on 1st April, 1889; and if any complaints have reached the Government with reference to the alleged delay in the publication of the award and the small amount of compensation given to property owners and others in Oldpark, Belfast?

The SECRETARY to the TREASURY (Mr. Jackson, Leeds, N.): I answered this question yesterday. It was put by one of the hon. Gentleman's Colleagues.

Mr. BLANE: I am sorry to say that I did not hear the answer.

Mr. JACKSON: Nevertheless, it was answered.

INLAND REVENUE COLLECTIONS IN IRELAND.

Mr. CLANCY (Dublin Co., N.): I beg to ask the Chancellor of the Exchequer whether the out-door supervisors of Inland Revenue in the "collection" which comprises the City and County of Dublin, as well as portions of the Counties of Wicklow, Wexford, Kildare, Meath, and Carlow, are compelled by the extensive character of their duties to work from 10 to 12 hours on week days, and often to work on Sundays also; and whether the Commissioners of Inland Revenue have described the outdoor supervisors as their most important officers, they being solely responsible to the Exchequer for the due and proper charging of the Excise Revenue; and, if so, will he direct the Commissioners of Inland Revenue to investigate the circumstances of their position with a view to increasing the staff of out-door supervisors for the Dublin collection.

MR. JACKSON: I answered this question also yesterday.

PUBLIC BUSINESS.

MR. SEXTON (Belfast, W.): May I ask if the right hon. Gentleman the Chief Secretary for Ireland intends to include the Labourers' Dwellings (Ireland) Act in the Expiring Laws Continuance Bill?

MR. A. J. BALFOUR: Yes, Sir; I believe that is the intention of the Government. I do not know that it is the most satisfactory mode of procedure, but it is evidently impossible to bring in an Amendment Act, and we cannot allow the existing Act to drop.

MR. J. MORLEY (Newcastle-upon-Tyne): Is it intended to take the Land Purchase Bill on Monday?

*MR. W. H. SMITH: I think it will be more satisfactory if it is postponed until Tuesday. The Budget Resolutions will be taken on Monday, and some smaller matters afterwards.

EAST INDIA (SALARIES).

Address for—

"Return of the number of all persons who received from the Revenues of India, during the year 1889-90, Annual Allowances (whether in the form of salary, pay, fees, emoluments, or pensions), of which the amount was not less than 1,000 rupees for each person; distinguishing the number of persons and total amount received in each class; and showing whether they were Europeans, Eurasians, or Natives of India, and whether resident or not resident in India."—(*Mr. Keay.*)

PRESUMPTION OF LIFE LIMITATION (SCOTLAND) BILL.—(No. 248.)

As amended, considered; Bill read the third time, and passed.

ORDERS OF THE DAY.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 2.

Amendment proposed, in page 2, line 39, after "holding," insert "or from the guarantee deposit."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I accept the Amendment, modified so as to provide that all sums carried to the account in respect of the redemption of the purchase annuity, whether received from the proprietor of the holding, or upon the sale of the holding, or from the guarantee deposit, and also all other moneys carried to the land purchase account, shall be paid to the Sinking Fund.

Question put, and agreed to.

(2.40.) Amendment proposed, in page 2, line 40, after "Act," leave out "any residue," and insert "all other moneys carried to the Land Purchase Account."

Question, "That the words 'any residue' stand part of the Clause," put, and negatived.

Question, "That the words 'any other moneys carried to the Land Purchase Account' be inserted," put, and agreed to.

The next Amendment stood in the name of Mr. BLANE, and it was as follows:—To add at the end of the clause—

"Provided always, that the Irish Land Commission may applot the purchase money and annual instalments for any labourer's holding or homestead situated on any tenement purchased under the provisions of this Act, in the same way and manner as may be done by the Irish Land Commission in the case of a tenancy purchased under the powers of "The Purchase of Land (Ireland) Act, 1885," and subsequent Acts amending the same, and upon the full discharge of such annual payments by such labourer in occupation, he shall be deemed the owner of such holding."

Colonel NOLAN rose to address the Committee upon the Amendment.

The CHAIRMAN: Order, order! This Amendment is not appropriate to the clause.

Question proposed, "That Clause 2, as amended, stand part of the Bill."

*(2.45.) MR. KEAY (Elgin and Nairn): I beg to move the omission of the clause as a protest against Subsection 3, whereby one-half of the consequences of a default on the part of the tenant of a holding are thrown upon the locality. I regard the sub-section as containing a most iniquitous provision. There is an absolute unanimity of opinion among the Irish Members against it, and I do not think that even from the landlord element on the other side of the House there has been a distinct protest against the views expressed here.

COLONED WARING (Down, N.): The landlords have had no wish to endanger the passing of the Bill.

*MR. KEAY: Although they may have a desire to pass the Bill quickly we are fairly entitled to assume that their silence means consent to the equity of the case we have urged.

COLONEL WARING: Then I hope the hon. Member will disabuse his mind of that impression. He must not assume anything of the sort.

*MR. KEAY: I am glad to find that there is nothing like an expression of opinion on the other side of the House against the equity of our case, and I gladly welcome the interruption. The Government have refused to give way upon this point. They consider that one half of the burden should be borne by the localities, on the ground that the localities ought to have a large interest in the fulfilment of their obligations by the tenants. I was much surprised to hear the remarks of the Chief Secretary to this effect, because if they mean anything at all they seem to me to point to boycotting. He threatens the locality with a pecuniary loss in case of a single tenant becoming a defaulter.

(2.47.): Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

*(2.50.) MR. KEAY: I want the Chief Secretary to satisfy my conscience in regard to this matter, which simply means the boycotting of a number of innocent ratepayers for the default of one man. My principal objection to the clause, however, is that it is an attempt to improve the position of the landlord at the expense of the locality, and unless I get some further assurance from the Government, I shall certainly divide the Committee against the clause.

(2.52.) MR. J. MORLEY (Newcastle-upon-Tyne): I hope that my hon. Friend will not divide the Committee. I agree with everything he has said in regard to the landlords' guarantee deposit not being made wholly available to meet any default. I believe that that is a great flaw in the Bill; but the point is one which has been adequately discussed in previous Sittings, and, therefore, with all due respect, I hope my hon. Friend will not take up time that may be devoted to other good and valued points.

(2.53.) MR. SEXTON (Belfast, W.): I wish to support the suggestion of the right hon. Gentleman. Unquestionably, if the clause had remained in anything like the form in which it was introduced, I should have felt it my duty to vote against it; but I think that an important concession has been made. At the same time, I must protest against a provision which limits the landlord's liability to one-half of the guarantee deposit.

(2.54.) COLONEL NOLAN (Galway, N.): The hon. Member for Elgin (Mr. Keay) has fought the Bill inch by inch, and he is quite consistent in his objections to this clause; but I think he would act gracefully if he were now to yield to the suggestion of the right hon. Member for Newcastle (Mr. Morley). No doubt the clause is bad, and I hope it may still be amended, but if the hon. Member goes on at the same rate his valuable lectures on finance will take up two volumes of *Hansard.* The volumes will doubtless form amusing reading for those who are interested in the subject, and especially for the hon. Member for Northampton (Mr. Labouchere), who has taken the hon. Member for Elgin as his financial adviser.

(2.56.) MR. LABOUCHERE (Northampton): The hon. and gallant Member has given a singular reason for voting in favour of the clause. He considers that it is a thoroughly bad clause and he hopes that it may be amended on the Report. I trust that before the discussion is closed the Chief Secretary will inform the hon. and gallant Member whether he intends to bring in another Bill or to amend the Bill now before the Committee. So far as the clause itself is concerned I take a large and broad view of the subject, but I am confronted with this difficulty—that the clause conflicts with the principle of the Bill. As I understand the Bill it is intended to carry out the Ashbourne Act, but we now find that the landlord is to be relieved of a considerable share of the liability which is imposed on him by the Ashbourne Act. I am sorry to differ from my right hon. Friend the Member for Newcastle. My right hon. Friend takes the same view as I do as to the pernicious character of the clause, but on a point of procedure he thinks that having voted against the pecuniary part of the clause we ought now to accept the proposal of the Government. Now, I think that if there is any part of the clause that is so objectionable that it will do violence to our principles we ought to vote against it. Therefore, if my hon. Friend goes to a Division I shall certainly support him. I regret that I was not in the House in time to move my Amendment as to total capital loss in case of forced sale, and I should like to ask the Chief Secretary if he will propose some way of preventing injustice being done to the Local Authorities.

*(2.59.) Mr. KNOX (Cavan, W.): I hope the hon. Member will not divide against the clause, but I wish to point out that on Lord Waterford's estates holdings have been sold in a case of default, subject to a reduced annuity. No doubt it is much easier to sell a holding subject to a reduced annuity than for the Commission to keep it in hand and work the farm. At present the Land Commissioners have no power, without consent, to apply the principal of the Guarantee Fund to the redemption of capital loss in such a case.

(3.2.) The CHIEF SECRETARY for IRELAND (Mr. A. J. Balfour, Manchester, E.): The hon. Member somewhat misunderstands the state of the law. Under the existing law, and under this Bill, it will not be possible for the Land Commissioners to sell a holding subject to a reduced annuity. It is therefore unnecessary to alter the Bill to meet such a case. If the Bill passes, the landlord will take his share of loss as represented by a diminished annuity. If the Land Bill (No. 2) passes there is a provision to enable the Land Commissioners to sell at a reduced rate and to make the landlord bear his share of the reduced annuities.

(3.3.) Mr. KNOX: Then how is it that the Land Commissioners have actually sold holdings subject to a reduced annuity? Does the right hon. Gentleman contend that their action in such a case has been illegal?

Mr. A. J. BALFOUR: At the present moment I have no doubt that it is not competent for them to sell a holding subject to a reduced annuity. It is not necessary therefore to provide for a case which cannot arise.

Mr. STOREY (Sunderland): I think the hon. Member for Northampton has made out a clear case of objecting to the principle of the Bill, but as the second clause only deals with the machinery of the measure I do not see that there is any necessity for prolonging the discussion upon it. But for matters in which I am privately concerned I should have been in my place earlier to oppose the principle of the Bill.

*(3.6.) Mr. KEAY: I am unwilling to put the Committee to any unnecessary trouble, but I feel compelled to call pointed attention to the fact that the Chief Secretary has doggedly refused to say a word on the only question I raised in moving the rejection of the clause. I asked him what he means by this system of pressure on the localities, unless he means an incitement to boycott the defaulter, and the right hon. Gentleman, by his persistent silence, is himself the person who is prolonging the Debate. On every occasion on which I have brought forward what have been admitted to be important points, the right hon. Gentleman has refused doggedly to reply to them. He has just replied to my hon. Friend behind me (Mr. Knox), but he has made no reply to me. Under these circumstances, unless I can get the right hon. Gentleman to do his duty I do not see how I can avoid dividing the Committee.

The CHAIRMAN put the Question, "That Clause 2, as amended, stand part of the Bill," and declared that the "Ayes" had it.

Mr. LABOUCHERE: I rise to protest. I said "No" most distinctly.

The CHAIRMAN: I thought the hon. Gentleman acquiesced.

Mr. LABOUCHERE: No, Mr. Courtney.

Question again put.

(3.9.) The Committee divided:—Ayes 137; Noes 44.—(Div. List, No. 150.)

(3.20.) Clause 3 (Establishment of Guarantee Fund).

Mr. SEXTON: I beg to move as a protest against the proposed guarantee an Amendment, which provides that "contingent" shall be substituted for "guarantee" fund. The clause provides for and defines a local guarantee to which, as the Chief Secretary knows, we are irreconcilably opposed. We protest against the guarantee, first because we think that, as this is an Imperial scheme, it ought to be founded on Imperial responsibility; secondly because the Government have means enough in their hands to make everything safe without a local guarantee; and thirdly because they have no right, against the will of the Representatives of Ireland, to pass a scheme which may ultimately have the effect of heavily mulcting the people of Ireland in reference to things over which they will have no control; and lastly because farmers who pay their own debts will be made liable for those of defaulting tenants. The Irish Members will take their objection at the proper time by voting against the clause. In the meantime the question before the Committee has reference to the details of the clause and the possible amendment of those details, and with the view of making substantial progress I have put down Amendments with the object of submitting an alternative scheme which I think worthy of consideration, and the acceptance of which will dispose of a great number of Amendments. In the first place I take issue with the right hon. Gentleman as to the division of the Guarantee Fund into contingent portions. It is an unreal distinction. All funds are equally "cash" and equally "contingent." The effect of taking the Probate Duty grants will be that the local rates in Ireland will have to be raised by £250,000, or on the average 8d. in the £1. I greatly doubt whether in the present condition of Ireland it can stand that augmentation of rates. I am willing that the Exchequer contribution should be taken at once and put into the Guarantee Fund, because it has not been definitely applied to any Public Service in Ireland, and existing arrangements would be disturbed. In the case of exceptional agricultural distress, the Reserve Fund could be applied to the relief of such distress. I therefore ask that in any year any default may be paid out of the Consolidated Fund, as a temporary advance, and that the local finance may not be deranged for that year by taking away the Probate Duty in anticipation of the default. At the end of the year, when it is known precisely what default has arisen, the actual loss to the Consolidated Fund could be recouped from the Probate Duty of the next year. For many years to come there could not possibly be a default exceeding the amount of the Exchequer contribution. The proposal does not conflict with any principle of the Bill or derange any of its machinery. Next, I take exception to the particular funds to be drawn upon in order to constitute the Guarantee Fund; and my Amendment substitutes alternative funds without effecting any alteration in the total capital sum. These alterations will, I believe, make the Bill more acceptable in Ireland. I propose to leave out of the clause as it now stands the sum paid for the care of the insane and the destitute sick poor in Ireland. These services must be continued whatever the cost may be. The Chief Secretary will admit that if an adequate substitute for this sum can be provided it ought to be provided. In place of it the Amendment substitutes the grants in aid of Queen's Colleges in Ireland. Primary education, after all, claims the attention of Parliament before University education, and if it were tolerable that the funds provided by Parliament for primary education should, even in theory, be hypothecated for the guarantee, there can be no objection to the hypothecation of the grants in aid of University education. Secondly, I propose to take, instead of the fund for the expenses of the Commissioners of National Education in Ireland, the whole Votes for national education. If the right hon. Gentleman sees his way to accept my Amendment, which, in my judgment does not conflict with the principle of his Bill, I think he will find that the number of Amendments moved on the clause will be very greatly reduced.

Amendment proposed, in page 3, line 1, after the word "a" to insert the word "contingent."—(*Mr. Sexton.*)

Question proposed, "That the word 'contingent' be there inserted."

(3.43.) MR. A. J. BALFOUR: The right hon. Gentleman has with great lucidity explained the very important Amendment he has placed on the Paper, and let me say at once that of some of his remarks I entirely approve. His main reason for objecting to the retention of the cash portion, I understand to be this, that if it be retained, it will delay the distribution among various localities ultimately entitled to it, and the delay will disturb the whole course of local finance for a year. I think if that were the effect of the clause, there would be very substantial ground for his criticism. But the payment into the Guarantee Fund of the Irish Probate Duty grant would, unless that grant were required to meet the deficiency, involve the payment to the various authorities of the sums to which they are entitled. That is distinctly the interpretation put on the clause by the Government, and therefore the criticism of the hon. Gentleman falls to the ground. The hon. Gentleman asks me on what we base the distinction between the cash portion and the guarantee portion. I take it that it is very necessary that there should be in the hands of the Exchequer a certain amount of money, not necessarily to meet permanent default, but to meet temporary default. He has stated with truth that it is a serious matter to touch the contributions from the Imperial Exchequer with regard to pauper lunatics and the sick poor. He and I are agreed that it is scarcely conceivable that the securities which are antecedent to the contingent portion of the fund will not prove sufficient. He states that public opinion will be shocked even by seeing the amounts for pauper lunatics named as part of the contingent security, and he prefers that the money granted for the support of the Queen's Colleges and certain portions of the money now given for elementary education in Ireland should be included in the contingent portion of the fund. The principles which have governed our selection of the contingent portion of the fund have led to the exclusion by us of everything not purely local in its character. We think that neither the Queen's Colleges nor the salaries and expenses of the education officers in Dublin can properly be defined as local. Though it may be said that the Queen's Colleges are mainly of interest to the towns and localities in which they are situated, the officers connected with them in Dublin and the educational machinery are of interest equally to every county and the whole of Ireland. It is clear you cannot touch the salaries of civil servants, and the officers in the Central Office in Dublin are civil servants. The Queen's Colleges are situated in three cities in Ireland, two of which are excluded altogether from the operation of this Bill, namely, those in Cork and Belfast. The College in Galway supplies not only Galway but a large district, and persons even go from Ulster and Munster to take advantage of the grants given to the College. It would, therefore, be impossible to give the Colleges the local significance that is given to all the other funds we take for the guarantee. Moreover, the professors of the Queen's Colleges are civil servants, and I find they come under the Minute of the Superannuation Department of the Treasury. So much for the alteration the hon. Gentleman desires to make in the substantial constituents of the contingent portion of the Guarantee Fund. Now, as to what he has said as to the order in which the grants should be taken, we can have no special objection to the alteration he proposes; but I think he is under a misapprehension. He seems to think that the order in which these various matters are mentioned in the clause governs the order in which the funds will be seized for the purpose of meeting default; but as a matter of fact, the order will depend upon the rules.

MR. SEXTON: I am aware of that, but I desire in my Amendments to indicate the order.

MR. A. J. BALFOUR: If the hon. Member has strong views on the point, and is fortified by the views of the Committee, I do not know that the Government need entertain any serious objection. In regard to labourers' cottages, I think we ought to move cautiously in the matter. No use whatever has been made of the money placed to the credit of certain counties, especially in the North of Ireland. I have a full Report of what has been done, and I gather from it that that is the case. To add another £40,000 to the Labourers' Cottages Fund, especially when unaccompanied by qualifying conditions in Clause 2, would be a very serious matter. As the hon. Member knows, I am entirely in accord with him in urgently desiring to see the agricultural labourers of Ireland better housed, but it would be disastrous to localities to build in them labourers' cottages which are not required by the necessities of the case. I am unwilling to hastily accept the proposal.

(3.59.) MR. SEXTON: I have no desire that an undue number of labourers' cottages should be built in Ireland, but I think the money should be so applied in cases where *bonâ fide* agricultural labourers pay excessive rents for miserable hovels, which are a disgrace to civilisation and destructive of the health of their occupants. I am quite willing to fall in with any arrangement or provision to prevent the misapplication of funds; but if a proper authority in Ireland should think that the money might be wisely spent in the direction I have referred to, I think it should be done.

(4.1.) MR. A. J. BALFOUR: I think the suggestion of the hon. Member, as I understand him, would involve a serious departure from the clause, which merely deals with the funds which have been captured, so to speak, and are already destined to certain uses. The hon. Member proposes to alter the destination of funds, already appropriated in a particular direction.

MR. SEXTON: That is hardly the case, for the Exchequer contribution has not yet been definitely applied to any purpose. The case is open, and I wish to define what it shall be.

(4.2.) COLONEL NOLAN: If I thought there was even the slightest chance of the fund for medical officers and the kindred funds ever being called on I should regard the Bill as doing more harm than good. But I do not believe that. I believe these things are

put in to give a general notion of security to the English electors. [*Laughter.*] Yes, I look on them as unnecessary, but I do not object to their insertion as I am confident they will never be reached. As to the Queen's Colleges, it would be very hard if the Galway College were taken and the other two were left out. I should vote against the Galway College being made a cock-shy of under this Bill. So far as I understand the proposal of the hon. Gentleman the Member for West Belfast this sum should accumulate instead of being distributed each year, and should then be handed over to the Labourers' Cottages Fund, while in the Bill it is proposed that the money shall be distributed in the first place for labourers' cottages, wherever they are wanted.

MR. SEXTON: No, no.

COLONEL NOLAN: Under the Bill as amended in the second clause.

MR. SEXTON: No.

COLONEL NOLAN: That is my construction of the matter.

MR. SEXTON: The second clause deals with a different fund.

COLONEL NOLAN: The £40,000 a year the hon. Member wishes to vote for labourers' cottages in places where they are required, some of it to go to Unions where they are not required. Well, the Labourers' Act as at present drawn is of very little use. If the Act were drawn so that you could repair and build cottages for the small tenants it would be useful; but as it stands at present the only use is to create an artificial class of tenants to compete with the small tenants—to build houses for competitors of the small tenants at great expense. Wherever the cottages are not required the money should go in aid of the local rates.

*(4.6.) MR. MAHONY (Meath, N.): From his observations I gather that the right hon. Gentleman the Chief Secretary is not disinclined to make concessions on this point, especially as the £40,000, if not required for the purpose of erecting labourers' cottages, will go as proposed in relief of taxation. The substantial matter in the Amendment of the hon. Member for West Belfast is founded on his fear that the financial arrangement come to will be disarranged by the payment to the Guarantee Fund, and I understand that the Chief Secretary

thinks the Bill is drawn in such a way that this disarrangement will not take place. It appears to me that the objection of my hon. Friend would be met if the Chief Secretary would agree to these words—

> "The cash portion of the Guarantee Fund, so far as it is not required at the date of its payment into that fund in any financial year, shall be forthwith applied as follows."

Mr. A. J. BALFOUR: The hon. Member is only referring to the Probate Duty grant.

*Mr. MAHONY: Certainly. The right hon. Gentleman seems to think that the Bill will secure what we want without Amendment, but we are in doubt about it.

(4.8.) Mr. SEXTON: As the matter stands at present I cannot accept the statement of the Chief Secretary that there is no danger of the funds being withheld. It is provided that the Probate Duty grant shall be paid into the fund each year, there to await default if on the year's financial transactions default is found to exist. It is evident that the Probate Duty will remain in the fund a year, waiting to see if there is default, but what I want is that this money should be paid as at present, and then, at the end of the year, if there is a default, that the necessary amount should be taken out of the fund for the next year. In this way the Local Services in Ireland would not be interfered with. In regard to the order in which the items should stand, though the matter is not one of great practical importance, I think that in Acts of Parliament we should have regard to seemliness.

(4.9.) Mr. LABOUCHERE: I shall have a difficulty in voting for the Amendment of the hon. Member for West Belfast, because, although I think that in some respects it is an excellent one, it seems to put the cart before the horse. The first point to decide is whether we should call upon the Irish to incur this liability, and when that has been settled by a decision of the House, we should go into matters of detail such as are raised by my hon. Friend. As I take objection to the principle, I am not prepared to vote that there should be any sort of Guarantee Fund of this nature. In the first place, I do not see anyone present who could pledge what are practically the local rates of Ireland.

Colonel NOLAN: Why should we not pledge them?

Mr. LABOUCHERE: The hon. Member belongs to a small and unimportant section of the Irish Members, who would find it quite impossible to pledge themselves, even if backed by the hon. Member for Meath. I gather that my hon. Friend the Member for West Belfast does not recognise the principle of pledging the local rates, which is in direct opposition to the views of the majority of the National Party. Therefore, we have no guarantee that these local rates, if the tenants do not pay, will stand between the British taxpayer and their liability. No one has any right to pledge those rates, and the Representatives of Parliament have received no mandate from their constituents to pledge the local rates for this particular purpose. It depends upon the inhabitants of the locality what shall be done with the rates. The Chief Secretary is one of those generous gentlemen who spend for their own objects moneys that do not belong to them. The whole thing is an utter sham. The object was to find £1,200,000 in order to persuade the British taxpayer that if merely that was capitalised there would be something really tangible which would prevent any liability falling upon him owing to the pledge that he gave. I need not say that is all nonsense. I regard these different items of the Reserve Fund in the same light as the fine crusted port, or the Old Masters, or the paving stones that the usurer trys to palm off upon some silly person who falls into his hands, and calls them "cash." I hope the House does not accept seriously the fact that there is an additional security standing between the British taxpayer and this liability, owing to these particular rates. Take the rates for education, lunatics, or medical officers. You cannot alienate them or you would stop the Local Government of Ireland. I have heard of a savage ruler who kept wild and fierce animals caged, ready to be let loose upon the people if they did not pay. Here you are to have the lunatics turned loose upon Ireland. You know perfectly well that nothing of the kind will occur. No House of Commons would incur the responsibility of interfering with the care of lunatics, with education, or with medical officers. If such a proposal as this were made for England there would be an uproar. I really could not vote for the Amendment of my hon. Friend. I suggest that he withdraw it, and allow us to vote upon the Amendment to leave out "the cash and contingent." If we are beaten, as we shall be beaten, then we could go into details on these different guarantees.

*(4.25.) MR. KNOX: The object of my hon. Friend is to get something in the way of reasonable Amendment without pledging himself to the principle of local guarantees, which we object to *in toto*. I am afraid, the Chief Secretary having refused any concessions to my hon. Friend, that there is nothing for us but to fight this clause throughout; but I hope there is still some chance of the Government recognising the reasonableness of the course proposed by my hon. Friend. So far as I can understand the distinction between the "cash and contingent" funds, it is a distinction drawn for convenience of drafting, and the cash portion is not to be a cash portion at all, save in name. If this is so, it ought to be made clear, and words inserted to prevent the cash portion from being detained in the Guarantee Fund after it ought to be paid over to the Local Authorities. The Bill, as it now stands, leaving the order in which the contingent portion of the fund is to be called on in the discretion of the Lord Lieutenant, gives an amount of power to the Castle officials which the House ought not to repose in them, and the Amendment of my hon. Friend, I think, is infinitely preferable to the proposal of the Government. Then, as to the order in which the funds in the cash portion are to be called upon, we are not told whether the county percentage is to be used before calling upon the Probate Duty or the Exchequer Contribution. The Amendment of my hon. Friend is to enable the House to say which portion of the cash as well as contingent funds is to be taken first, second, or third. As the Bill is drafted it is impossible to know in which order the funds will be taken. In not accepting my hon. Friend's Amendment, it would seem that the Government are not anxious to facilitate the discussion of this matter, and we will, therefore, be compelled to fight the various portions of this clause.

(4.30.) MR. A. J. BALFOUR: I have listened to the arguments in favour of the Amendment, and with some of them I agree, and I do not think there is any great difference between us. There are three matters on which I am prepared to give an answer to the hon. Gentleman. The first relates to the danger which the hon. Member fears if the Bill remains in its present state, and in order to meet his view I shall, on the Report stage, bring forward an Amendment with a view to securing that payment to the Local Authorities shall only be withheld if default was made antecedent to the day at which payment to the Local Authorities was due.

MR. SEXTON: Only the amount of the default.

MR. A. J. BALFOUR: Quite so. The second point to which the hon. Member called attention was as to the order in which the contingent portion of the fund is mentioned in the second sub-section. I have no objection to altering the order to meet his view, and, therefore, that will become a matter of practical politics. I do not think it is very material, but I defer to the voice of hon. Members opposite. The third point relates to labourers' cottages, and as to this my hon. Friend the Attorney General for Ireland has drawn up an Amendment which will come under sub-head A of Sub-section 2 of the clause. It will, I think, carry out the view of the hon. Member for West Belfast, though I cannot accept the Amendment which is on the Paper.

(4.35.) MR. SEXTON: I believe the right hon. Gentleman's promise effectually provides that there shall be no disturbance of the Local Service in Ireland by reason of the Local Guarantee Fund. The right hon. Gentleman also agrees to take the contingent securities in a different order. Of course I retain my objection to the principle of a local guarantee, but I am so sensible of the extent of the right hon. Gentleman's concessions that I will not press this Amendment, nor will I move the next Amendment.

(4.37.) MR. STOREY: My hon. Friend seems to be satisfied with very little. He must still, however, reckon with the fact that some of us in England object to this arrangement. As I understand the offer of the Secretary for Ireland it is this, that he promises not to dislocate Irish local finance by retaining the local Probate Duty in the future, except to the extent of the antecedent defaults. How does that differ from the words in the Bill? The words in the Bill at the present time mean this and this only. My hon. Friend has got no concession whatever.

Mr. SEXTON: I think I have.

Mr. STOREY: Well, when doctors disagree who shall settle the matter? I apply common sense to the clause and say that the concession which the Irish Secretary has made just now is precisely on all fours with the clause of the Bill as it stands. The right hon. Gentleman also makes a concession about cottages. He proposes that the Exchequer contribution, if not needed for the Guarantee Fund, shall be applied to the provision of labourers' cottages in the Irish counties. Under this concession you might have this condition of things, that actually there would be a necessity for money to meet some deficiency, and yet the deficiency could not be met because the money was being applied to the building of labourers' cottages. In other words, the money that was to secure English credit against default is to be applied to the building of labourers' cottages.

Mr. SEXTON: It is only when every possible claim for deficiency has been met that the claim for labourers' cottages is to be made.

Mr. STOREY: Well, if my hon. Friend is content with the provision, I have no reason to be otherwise. As to the Amendment to the whole clause, I was going to vote in favour of it because I thought it was better on the whole than the Government proposal; but I must say that both proposals seem to be very objectionable from my point of view. I cannot understand the methods of the Irish Secretary in this matter. He is proposing an Imperial scheme, actuated by great Imperial purposes, and for great Imperial ends, and then instead of proposing a Guarantee Fund out of the Imperial Exchequer he goes to Ireland and seeks in all the holes and corners of the land for petty sums in order to present them to us as possible guarantees. Why did he not go to the Chancellor of the Exchequer last night and say, "I have a great Imperial purpose to carry out in Ireland and it does not become a great nation like ours to go peddling about Ireland seeking for Guarantee Funds. Let me put down £1,000,000 right away and have a Guarantee Fund that will meet all contingencies." I do not say I should have voted for such a proposal; I must have voted against it; but I am looking at it from his point of view. He actually proposes that we should obtain guarantees from the funds applied to the maintenance of pauper lunatics, to the salaries of schoolmasters and masters of workhouses, to the cost of medicine for the sick poor, and so on. When we say, "You do not mean to tell us that any Government would be mean enough to take this money and allocate it as proposed in the Bill," what does he say? When it was suggested that to take the Irish Probate Duty grant would be to discolate local finance, the right hon. Gentleman said "The localities will not suffer by our keeping the Probate Duty." Why will they not suffer? If he keeps it they must suffer. If they will not suffer he does not propose to take it at all.

Mr. A. J. BALFOUR: The hon. Gentleman has quite mistaken my meaning.

Mr. STOREY: I am sorry if I have mistaken his meaning, but that is certainly how I viewed the matter. What answer did he make when it was suggested it would be shabby to take the money for pauper lunatics, and so forth? He said it was scarcely conceivable that the antecedent guarantees would not be sufficient. Quite so; and if the antecedent guarantees are sufficient, why does he come before the House and the public, and put in small make-shifts of guarantees which he never means to realise? My feeling about this clause is simply this: I would have voted with much more willingness for a Bill to create a peasant proprietary in Ireland if there had been a Ministry that had boldly come forward and said "We are going to do this thing because it is a national thing, and we are going to do it in a national way." But when, in addition to a proposal from which I dissent, the Government come to the House, and in this peculiar way of theirs suggest to the British public all sorts of guarantees, when they know they are not real and tangible guarantees, I must say they add meanness to that policy, and it is my duty to oppose this clause and any succeeding clause which gives effect to it.

Amendment, by leave, withdrawn.

(4.48.) MR. SEXTON: I should like to move the next Amendment formally, so as to have it on record, and then to ask leave to withdraw it.

Amendment proposed,

In page 3, line 1, to leave out all after "Fund," to end of Clause, and insert "consisting of the following sums to be paid into the Fund, in the order stated, if and when and to the extent required in pursuance of this Act in any financial year:—

(i.) the Exchequer contribution hereinafter mentioned and the reserve fund constituted thereout;

(ii.) the Irish Probate Duty Grant;

(iii.) the Irish share of the Local Taxation (Customs and Excise) Duties Grant; and

(iv.) the following local grants, that is to say, the grants—

(a.) for rates and contributions in lieu of rates on Government property in Ireland;

(b.) in aid of the maintenance of the Queen's College in Ireland;

(c.) to defray the expenses of national education in Ireland; and

(d.) in aid of industrial schools in Ireland.

(2.) A sum of forty thousand pounds (in this Act described as the Exchequer contribution) shall in every financial year be paid out of the Consolidated Fund, and the said sum shall be carried to a reserve fund until the sum of two hundred thousand pounds has been so carried; and so far as it is not required for that purpose shall be paid, in the same proportion as if it were the part of the Irish probate duty grant divisible between boards of guardians of the poor in Ireland, to the said boards to be applied in providing labourers' cottages under the Labourers' (Ireland) Acts 1883 to 1886.

(3) The guarantee fund shall be under the direction of the Treasury.—(*Mr. Sexton.*)

Question proposed, "That the words 'That under the direction of the Treasury' stand part of the Clause."

*(4.50.) MR. MAHONY: I quite agree with the hon. Member for Sunderland Mr. Storey) in his objection to the use of Irish credit, but we have already had discussed that subject on Clause 1, and I do not see what useful purpose can be secured by re-opening the matter on Clause 3. We could urge special objections against many of these forms of guarantees, but the Chief Secretary has, on the whole, made very substantial concessions. I hope we shall quickly come to a decision. I, personally, do not intend to move any of the Amendments which stand in my name.

(4.51.): COLONEL NOLAN: At present a portion of the Probate Duty is devoted to Poor Law purposes. It is to be put into the cash account, and then to overflow to the Poor Law Unions. Am I to understand that until there is a deficiency caused by some tenant not paying, the Poor Law Unions will not only receive the same sum as now, but receive it quickly?

MR. A. J. BALFOUR: Yes; that is substantially the intention.

Amendment, by leave, withdrawn.

*(4.52.) MR. KEAY: My hon. Friend the Member for Meath has just told us he does not intend to move any of his Amendments, and would lead us to believe that in his judgment the fight, so far as the Irish Members are concerned, is all over. But I understand that, on the contrary, the fight has to begin upon my Amendment. I view this Amendment from a financial point of view, and I may add from a British point of view. I do not intend to enter into the question of the incidence of the alleged Irish guarantees on Irish social and political life, but to speak of them as a security, as a form of protection, to the British taxpayer. I decline to recognise them or to have anything to do with them as a security, unless they fulfil one necessary condition. A Guarantee Fund is only created, and ought only to be created, for one honest object. There should be grouped together funds of a class or classes which can be easily and readily arrested for the purpose of covering any default which may have been made. I hold strongly that this Guarantee Fund is useless, because you cannot collect it when you want it. I do not now propose to leave out both the cash and contingent portions of the Guarantee Fund; but only the latter portion. I consider the collection or retention, or interception of the cash portion of the Guarantee Fund for the purpose of meeting a default to be a conceivable supposition; but I hold it to be altogether inconceivable that local grants in aid of local purposes could possibly be intercepted. It is not with-

out reason that all these ridiculous claims are going to be made upon the Irish localities by Her Majesty's Government. The reason of it all is, that under the construction of this Bill, for every £40,000 which they can get swept into the Guarantee Fund they can lend another million sterling to their hungry friends the landlords. I propose to retain the cash portion in the fund, and to move to omit the contingent portion. The financial effect of that will be this: The cash portion comes in round numbers to about £300,000 a year. According to the Government scheme the amount of the Bill will be 25 times £300,000, in other words it will be about 7½ millions. Each of the Ashbourne Acts was put forward with £5,000,000 only in it, and I think that if the cash portion is reserved, and if 25 times that portion is capitalised and paid over to the landlords, it is quite enough to carry out the real purpose of the Government, which is to furnish ample funds to their own immediate friends and supporters among the Irish landlords. I, therefore, move the Amendment which stands in my name.

(4.58.) Mr. LABOUCHERE: On a point of Order. I have an Amendment to leave out the contingent portion to which I think there are greater objections.

*Mr. KEAY: Perhaps I had better let the words stand.

Amendment proposed, in page 3, line 2, to leave out the words "consisting of a cash portion and a contingent portion." —(*Mr. Keay.*)

Question proposed, "That the words 'consisting of a cash portion' stand part of the clause."

*(4.59.) Mr. SHAW LEFEVRE (Bradford, Central): I could not vote for omitting the words "the cash portion," but I should be prepared to vote for leaving out "the contingent portion." I do not think it would be possible, under any circumstances, for the Government to withhold the funds which go to the rateyayers in respect of criminal lunatic asylums and education. Therefore, I suggest that the hon. Gentleman should withdraw his Amendment, and allow the hon. Member for Northampton to move his Amendment.

The CHAIRMAN: I put the question in such a way so as to save the subsequent Amendment.

(5.0.) Mr. LABOUCHERE: I object to both portions, but I object to them on different grounds. My reason for objecting to the cash portion, is that it is practically a fund which is obtained from Ireland itself. The proposal as to the cash portion is an attack upon the rights of the localities, and Irish localities have the same rights as any localities in England. According to the Budget last night, Ireland is to receive certain sums. We should have no right to take it away from Ireland unless we withdrew it equally from England. We could acquire that right if we were able to say that the Members for Ireland had a distinct mandate from their constituents; but I do not understand them to pretend that they have that mandate to give it up absolutely. In fact they say just the reverse. And again, it is impossible to tell whether Ireland will continue to contribute this £40,000 for 49 years. We have just read a second time a Sunday Closing Bill for the country, and it may be that some day we shall pass a Bill closing the licensed houses on every other day as well. It may be that Ireland may not drink whisky for 49 years. Yet by this we are pledging them to go on drinking it for all these years. Surely the hon. Member for South Tyrone will not assent to that. He is continually going about the country, urging the Irish not to drink whisky, and thus provide the money; and yet, if he supports this proposal, he will be calmly hypothecating the money obtained from the consumption of whisky for the next 49 years. I say we are not entitled to pledge this money. It is money obtained for the Irish people, and they have a right to it; and we cannot, by the mere fact of its passing through our hands, lay hold of it and hypothecate it without the clear and distinct assent of the large majority of the Irish Members.

(5.5.) The Committee divided:—Ayes 185; Noes 113.—(Div. List, No. 151.)

(5.16.) Mr. LABOUCHERE: I am anxious, consistently with my duty, to get on with the business as speedily as possible. I have already expressed my views in regard to this Guarantee Fund, and can consequently abbreviate my observations on the specific Amendment which I now rise to propose. As I said just now, we are opposed to the cash portion, although something plausible might be said in its favour; but we are still more opposed to the contingent portion. I would ask the right hon. Gentleman the Chief Secretary a question with regard to this matter: What is his position in relation to it? This contingent portion would be used as a cover in the event of the tenants not paying their rents. We will suppose that they do not pay; we will suppose that a strike has taken place; or we will take the case of a combination of persons who declare that if they do pay the annuities they will be absolutely ruined. It may be that produce has fallen greatly in value or that the harvest has been a very bad one. What would the Chief Secretary do? Would he use this Contingent Fund or not? If he uses it, what would be the result? First, the locality would have to double its rates, because the Imperial contribution would be no longer available. And if they could not get the rates in, the lunatics would have to be released, no medicine would be provided for the sick poor, nor would there be any other relief for them; and if the non-payment of the annuities arises from the fall in the value of produce, how can it be expected that the people will be able to pay a double rate. The probability is they will be unable to pay a single rate. You say that the taxpayers of Great Britain are guaranteed from any possible liability because you impose a double rate at the very moment that the people to whose interest it is to pay the annuities are absolutely unable to do so. I maintain that you cannot do it. I say that the people would not agree to the imposition of this double rate, and if they refuse to pay, what will the Chief Secretary then do? It is humanly possible that the value of produce may fall to such a point as to make impossible the payment of the annuities, and it may be that the people, holding that the rates are already sufficiently heavy, will refuse to pay more. That the Chief Secretary will be face to face with the fact that he must let loose the lunatics and stop all poor relief, I say it will be impossible for him to do that. A Government has certain primary responsibilities and one of those reponsibilities is providing for the sick poor and for lunatics. It cannot hypothecate money which is intended for such purposes, and therefore I assert that this proposal is merely an attempt to throw dust in the eyes of the British taxpayers; it is, so far as the lunatics are concerned, a lunatic proposal from beginning to end. Both the Chief Secretary and the Chancellor of the Exchequer know perfectly well that this guarantee is utterly and absolutely illusory; it has been introduced in order to keep apparent faith with the pledges on which they and their followers secured their seats at the last General Election—the pledges that the English taxpayer should incur no sort of liability in connection with land purchase in Ireland. It is only fair we should have a clear understanding with the Chief Secretary. Would he under any or all circumstances insist on this rate being levied? Would he send his police and his bayonets to levy it? Would he, in the event of its non-payment, let loose the lunatics and the paupers, and would he stop all education? I await his reply. I do not anticipate that that reply would do away with the necessity for my taking a Division on this Amendment, but still, I am always open to argument, and if the right hon. Gentleman can prove to me that I am in the wrong I shall be glad to go over to his side.

Amendment proposed, in page 3, lines 2 and 3, to leave out the words "and a contingent portion."—(*Mr. Labouchere.*)

Question proposed, "That the words 'and a contingent portion' stand part of the Clause."

(5 24.) MR. A. J. BALFOUR: This question has been discussed whenever the general principles of the Bill have been raised, and, therefore, I need not discuss it again to-day. In answer to the hon Member, however, I may say that I do regard the guarantee as a real guarantee, and I shall, if necessary, enforce it. I am not obliged to contemplate such extreme possibilities as those presented by the hon. Member. If such catastrophes as the hon. Member has pictured occurred anywhere in the British Islands, the Parliament of the

day would no doubt take measures to cope with them. The Bill deals, as every Bill must do, with probabilities, and there is no probability of the Contingent Fund being called upon, or, if it were, of the local taxation being difficult to enforce. The hon. Member has spoken of letting loose all lunatics and withdrawing aid from the poor. He must know that, the care of lunatics and poor is not a duty of the central Government, but essentially one of the locality, and that the grants from the Exchequer are given only to aid the locality in carrying them out. I think I have covered the points raised by the hon. Member. I do not suppose I shall be fortunate enough to convince him, but I hope I have said sufficient to indicate the views of the Government and to prove to the Committee that this is a real guarantee.

*(5.26.) MR. SHAW LEFEVRE: I agree with the Chief Secretary that this question has been argued before, and therefore I do not propose to take up the time of the House in discussing it again. But, at the same time, I think that the question is too important to be allowed to pass without a protest. I do not agree with the Chief Secretary that the words in question are a fundamental part of the Bill. I think, on the contrary, that they could be omitted without detriment to the measure. There is a great distinction to be drawn between the cash portion and the contingent portion. I hold that under no possible circumstances could a Government withhold contributions for lunatic asylums and for the education of paupers, nor for any other purpose mentioned in the contingent portion of the Guarantee Fund, nor would the fear of such funds being withheld supply an inducement to the payment of the instalments. This part of the Bill is entirely illusory, and affords no real guarantee to the taxpayer. I shall therefore vote for the Amendment.

(5.30.) MR. M. J. KENNY (Tyrone, Mid): I have the strongest possible objection to this proposal to seize and impound local rates without the consent of the locality affected. I say that there is no power in existence in Ireland at the present time which is competent to pledge its own credit, and I do not think any Member for an Irish constituency would venture to support this proposal before his own constituents. Neither do I believe that any considerable body of the Irish people would be found to approve it; I doubt if even the constituents of the Attorney General for Ireland would sanction it. I quite admit that the Chief Secretary has improved his proposal by offering to re-cast the order in which the securities may be impounded. The grant to pauper lunatics would be fifth now instead of second on the list, and that is a material improvement. At the same time, I do not think it would be impossible to realise the securities. I think they might be realised, and the maximum of local inconvenience and irritation caused thereby. Although the Chief Secretary says it is the duty of a locality to provide for its paupers and lunatics, I must remind him that for many years the Imperial Government has assisted in the task both in England and in Ireland, and it would be very hard now to withdraw the grants in aid. Anyone who has knowledge of agricultural life in Ireland knows that the rates and taxes are already equivalent to the rent, and if, by the withdrawal of the Imperial grant, the burden were increased, the farmers would be taxed beyond their means. While the Lord Lieutenant might succeed in levying for the county cess, such a storm would be raised as would be extremely awkward for the Government of the day, and it would not conduce to the satisfactory working of the Land Purchase Bill.

*(5.35.) MR. WEBB (Waterford, W.): This is a Bill of complicated details, many of which require special ability for their discussion; but the point we are now considering stands out clearly enough, and I think every Member who represents an Irish constituency should join in the protest against this proposal, and support the Amendment. My support is given on entirely different grounds to those upon which one hon. Member gives his support. He opposes the clause because he thinks the guarantee is illusory, and that the risk must eventually fall upon the English taxpayer. I am not so credulous as to agree to put our names on the back of a Bill, satisfied with the assurance that it is merely a matter of form, and no liability attaches to it. We are called upon to give this

guarantee, and the resources of the locality will be absolutely pledged. Since I entered this House, I have had forced upon my attention the humiliating position that Ireland occupies in our Parliamentary system, but never have I felt this more keenly than in having this clause forced upon my country against the unanimous wish of Irish Representatives. This Bill was introduced with a great flourish of trumpets as a generous measure of assistance for the pacification of the country by the use of British money and credit. It was kept out of sight that our own resources were to be pledged to carry out this Imperial measure. It cannot be too often repeated, it should be thoroughly understood, that to obtain this benefit supposed to be extended from Imperial resources we are called upon to pledge the grants to our asylums, the salaries of our schoolmasters and schoolmistresses, the medical assistance to our poor, the salaries of officers under the Public Health Act, the maintenance of our children in Industrial Schools. I hope a strong protest will be made against the unfairness of the proposal.

*(5.39.) MR. ESSLEMONT (Aberdeen, E.): I have no wish to protract the discussion to any length, but, looking at this question from a Scotch point of view, I am bound to say I do not hold the same views in regard to land purchase as those held by the hon. Member for Northampton. I have not much to say against the principle of land purchase, but my action has been very much guided by what I have heard by the hon. Member for South Tyrone (Mr. T. W. Russell). He, in discussion, has admitted absolutely that if a locality were consulted, the locality would not agree to the purchase of land under existing circumstances. I understand that the terms of purchase will be forced upon the tenants in the interest of the landlords, and a Local Authority, whose resources are to be appropriated as security for payment, would not sanction the terms of purchase. Here the question arises in its barest form. We are told by the large majority of Irish Members that they will not consent to this security. I quite agree with the hon. Member for Northampton that this security is illusory. I am of opinion that it never could be enforced, and probably there will never be the need to enforce it. But that is not the point of my objection. I am not opposed to land purchase in the interest of the tenant, but an objectionable feature of this Bill is, that under its provisions the purchase money will be higher than would be sanctioned if the opinion of the Local Authorities were taken into account as to the securities to be given. This is not denied by the hon. Member for South Tyrone, or anybody else, and so far as we are concerned, and looking upon this as a precedent for land purchase in Scotland—a precedent we shall use in favour of land purchase in Scotland——

SIR G. CAMPBELL (Kirkcaldy, &c.): No, no.

*MR. ESSLEMONT: Notwithstanding the protest of my hon. Friend I, as representing a Scottish agricultural constituency, say that this precedent of buying out Irish landlords will at some time be used, and the Government of the day will find it hard to resist the claim from Scotland under certain circumstances. But I know I stand on a very different platform to some of my colleagues in this matter. I deprecate in the strongest terms as an insult to Local Authorities in Scotland or elsewhere that they should not be consulted at all as to the security they are called upon to give. I am sure the people of Ireland, or of Scotland, in view of the demand for land, would agree that the utmost value should be given compatible with good security, without undue risk. We have before us a very important issue. It is idle to say, after we by a majority have said to Local Authorities, "You shall not be consulted in any way, but we shall keep these grants for local purposes, for education and for the maintenance of your poor, for the security of payment for the land"—it is not to be expected, I say, that these Local Authorities will not resist such action. I do not think they would be doing their duty if they did not refuse to give up these taxes. We in Scotland should resist these local taxes being taken from us against our will, and as it would be in Scotland, so I think it must be in Ireland. Let our friends show whether they believe in the justice of the claim for local government in Ireland. I have no wish to detain the Committee in this discussion of Irish matters, but, apart from Ireland, I wish to protest against a disregard of Local Authority over local funds.

*(5.46.) MR. T. W. RUSSELL (Tyrone, S.): I do not pretend to any special liking for this form of security in the contingent Guarantee Fund, but the matter presents itself to my mind in this way: The people of Ireland, generally speaking, desire a land purchase measure such as is now before us. There can be no question about that, because Members who resisted land purchase as proposed in the Ashbourne Act have been forced to yield to the pressure of their constituents and support this Bill. Therefore, I take it that the Irish people desire that this Land Purchase Bill should pass. Although, as I say, I have no liking for this form of security, I come to ask how is land purchase to be effected without some security for the money advanced? Surely the Members below the Gangway do not mean to affirm that the nation is going to hand over some £33,000,000 without any security at all?

MR. LABOUCHERE: That is what the Bill proposes.

*MR. T. W. RUSSELL: It is quite true that in the two Ashbourne Acts there was no security for the £10,000,000 save the land itself and the guarantee deposit of the landlord, but what has taken place since those Acts were passed? Why are the securities in the present case set up? Because of what has since been going on in three out of the four provinces of Ireland. The teaching which has been given to the farmers in those three provinces is now coming home to roost, and guarantees are now required by the British people which would never have been thought of but for the experience of the past seven or eight years in the South and West of Ireland. The matter, therefore, stands thus—we must accept a Land Purchase Bill with these securities, or we shall get no Bill of the kind at all, and I am bound to say that I would not dare to face my constituents if I had refused the Bill with the securities proposed. I deny that Ireland is unanimous as to these guarantees. Ireland is not unanimous, and the Division will show that. Ireland will reap the benefit of land purchase, and it is not asking too much that Ireland should pledge her local securities to secure that benefit. When we find two parties opposing this provision, one declaring that this local guarantee is not required and the other that it is altogether illusory, I say let them come to some general agreement before they assail this fundamental part of the proposal.

(5.50.) MR. STOREY: I do not wonder to hear the hon. Gentleman say he does not like this guarantee. I put it to his sense of justice, if there be a guarantee, from whom does it come?

*MR. T. W. RUSSELL: From the Irish people.

MR. STOREY: Does my hon. Friend say that this clause contains any guarantee from the Irish people? In this Contingent Fund are not the main proceeds of Customs and Excise Duties obtained mainly from the people in the towns drinking more liquor than before?

*MR. T. W. RUSSELL: There are very few towns in Ireland.

MR. STOREY: That does not destroy my argument. As a matter of fact, a much larger amount is drawn from the people in the towns as compared with the contributions from the rural districts. What advantage is it to the people in the towns to have this Land Purchase Bill passed? What advantage is it to the people of Belfast or Dublin that a certain number of farmers in the rural parts of Ireland are to be singled out to become landowners? Not only upon the districts concerned, but upon the people in Dublin, Belfast, Londonderry, Limerick, Cork, and all the towns do you call to contribute their portion of the guarantee that the State may be secured from loss. Is that fair?

*MR. T. W. RUSSELL: Yes.

MR. STOREY: I think it is utterly unfair and unjust, and therefore I oppose the clause. Now, let us look at this guarantee. We have been jibed at because we have called it illusory, but I repeat it is illusory to the extent of absurdity. If there should be any deficiency, if there should be need to call up the guarantee, is there any Government that would take from the Local Authority sums now applied to the support of pauper lunatics and other purposes and use them to make up the deficiency in the Land Purchase Fund? Everybody knows what would happen Should there be such a deficiency the

Government of the day will come to us and say, "We admit that under the letter of the arrangement we ought to refuse Local Authorities these grants, but in decency and in our conscience we cannot do this; it would not be consonant with our duty to do this, and therefore we ask for some other guarantee and the advance of the cash by Parliament to meet this deficiency." Now, I submit to my hon. Friend the Member for South Tyrone—who is a logician outside the House, if he is not in the House—would it not be more honourable and statesmanlike to at once make it an Imperial guarantee entirely, and not put forward this illusory local guarantee? Take the next item, is it possible to withhold the salaries of the schoolmasters of Ireland in order to enable a limited number of farmers to become owners of land in Ireland? Will you appropriate the salaries of the medical officers, or say that the sick poor in Ireland shall not have the medicines now provided at the cost of the State, because the landlords must be paid out, handing over their land to the tenants on certain terms? I will not go through the items, they all hang together, they are of the same mean description. If you carry this land purchase scheme for Ireland, how can you resist a claim for other parts of the Kingdom on the same basis? I am not saying that I would make such a proposition. Anyone who opposes it for Ireland may consistently oppose it for Scotland or England; but how, when such a claim is made, can you consistently refuse it, having established this precedent? It is because we think this guarantee is illusory, and if not illusory most unfair and unjust, we oppose it. Take the case of any county in Ireland, where there are, say, 5,000 tenant farmers. Of these you turn 1,000 into owners, leaving the other 4,000 still in the condition of tenants; besides you have all the trading class, the grazing farmers, and what there is of the professional class, and a number of other people following various occupations, and because 1,000 men have been singled out to receive a particular benefit at the hands of the State you propose that all the other ratepayers shall become guarantees for the minority who are to receive the benefit. Well, all I can say is that hon. Gentlemen opposite must be much duller than I know they are if they do not see the logical conclusion to which a policy of this sort may be pushed. Can you confine the claim to those and a few of those who occupy farms? History repeats itself; and, just as in Imperial Rome, 2,000 years ago, the agrarian question reacted on the occupation of tenements among the working-classes in towns, so may you have the principle agitated, not only for the occupiers of land in England and Scotland, but for the urban population. Having regard to the possible consequences that may flow from such a precedent, we oppose this clause.

(6.0.) Mr. P. J. POWER (Waterford, E.): There is much of this Bill complicated and technical in character; but one thing comes out clearly: that it will be more beneficial to landlords than former Land Purchase Bills. This was to be expected, and from their point of view the Government would naturally assist their friends in Ireland. With regard to the danger of repudiation which the hon. Member for South Tyrone sees ahead, I believe there will be nothing of the kind. There is no danger of the Irish people repudiating an engagement they have entered into, providing the bargain is a fair one and freely entered into. But what does this Bill propose? It proposes to provide the means whereby a certain number of tenants may become owners of their farms. But the amount placed at the disposal of the Commissioners will not allow of more than one out of every four tenants becoming owners, and the others, together with all the ratepayers in town and country, are to become security for the defalcations that may arise, though they have no voice in allowing the transactions. Now, I object to such a proposal; it is against any principle of fair play and contrary to the accepted principle that representation should accompany taxation. The Chief Secretary repudiates any right of Local Government to the Irish people; he throws over the principle of representation, and I never heard a more gratuitously insulting observation than that used the other night by the right hon. Gentleman when he said that the elected bodies were the repudiated bodies. If these bargains are fairly made there will be no repudiation of engagements, and the working of the Ashbourne Act proves the truth of my assertion; but without the safeguard of local sanction, there is the greatest danger of tenants acting under duress being forced into unfair bargains. I shall certainly support the Amendment of my hon. Friend.

(6.5.) Sir G. CAMPBELL: I confess I am somewhat in a dilemma as to giving my vote. When I find Irish Members assisting the Government to pass Clauses 1 and 2 to secure the advance of these £30,000,000, then I confess I do not like to go into the Lobby with them to shake off these local obligations. If I thought it would get rid of a real local guarantee, I would vote in favour of retaining it. The hon. Member who has just spoken expressed his belief that his countrymen would not repudiate a bargain fairly entered into; but who is to judge of the fairness? Is there not a danger that Irish farmers may hereafter say they were coerced into these contracts; and as they are not fair, they will not carry out their obligations? I am unwilling to advance the money at all, but I should prefer to have some Irish guarantee for repayment. But I am impressed with the belief that this contingent guarantee is an illusion, and is merely intended to throw dust in the eyes of the British taxpayer to induce him to assent to a Bill which he would never agree to if it were put forward in its naked form of British security only. Under the circumstances, and believing as I do that this contingent guarantee is utterly worthless, I think I cannot do better than vote against it, in so doing endeavouring to put the Bill before the electors in its naked hideousness, showing that we are really going to make these advances without any real security whatever. I object to the principle of the Bill, for I believe it is unnecessary, and that the Act of 1881, properly administered, is sufficient. I shall vote for the Amendment, for the idea that there is any security in this contingent guarantee is altogether a delusion.

(6.10.) Dr. TANNER (Cork Co., Mid): The provisions of this landlord's recuperation Bill are of so highly technical a character that it is difficult for anyone but an experienced legal man to deal with them. We have now, however, arrived at a most important point touching the contingent guarantee — the guarantee which is to be exacted from the Irish people without any expression of Irish opinion with regard to it—and, as one who represents an important constituency in the province of Munster, I cannot consent to give a silent vote. This guarantee is worthless, or it is valuable. If it is worthless, I perfectly understand the proposal to strike it out. If it is not worthless, I want to hear some expression of opinion from gentlemen opposite with regard to it. Are the unfortunate lunatics of Ireland to be turned loose without any sort of care or attention being paid to them? I can conceive nothing more unworthy of even a Tory Administration. The poor children are to go untaught, and the expenses of medical officers and the cost of medicine and surgical appliances are to be sacrificed. What a pretty kettle of fish you will have in Ireland if this guarantee is called upon! If there is any possibility of such a thing happening, no English or Scottish Member can, with a clear conscience, go home to his constituency and say he has voted in favour of such a measure. Either the Government have made a mistake in imposing this guarantee at all, or else they should have acted on some other principle so as to avoid the most fatal error into which they have fallen. I maintain that no Irish Member will be doing his duty at the present time if he does not attempt to alter this proposal, or to obtain some highly satisfactory answer from the right hon. Gentleman.

(6.15.) Mr. SEXTON: I must strenuously object to the insertion of this local guarantee; first, because it seems to me unconstitutional in its character; and secondly, because, if it is ever exacted, it will be most oppressive to the people of Ireland. I shall not repeat the arguments I have already used on the subject.

(6.16.) The Committee divided:—Ayes 196; Noes 113.—(Div. List, No. 152.)

(6.28.) Mr. A. J. BALFOUR: I beg to move the Amendment which stands in my name.

Amendment proposed, in page 3, line 3, after "shall," insert "in addition to the county percentage."—(*Mr. A. J. Balfour.*)

Question proposed, "That those words be there inserted."

MR. E. ROBERTSON (Dundee): I should like to have some explanation of this Amendment.

MR. A. J. BALFOUR: It is purely consequential on the alterations made in Clause 2, in deference to the hon. Member opposite.

*MR. KNOX: I should like to know precisely what the Amendment means. There is absolutely no provision in the Bill now to say what portion of the fund, whether cash or contingent, the county percentage is to go to.

*(6.29.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): As the Bill was drafted, the county percentage went as part of the Irish Probate grant, and thus into the cash portion of the Guarantee Fund. This has been modified, and those words are intended to make it clear that the percentage is still to be paid into the cash portion of the fund.

MR. SEXTON: I think it would be better if the Amendment were inserted in Sub-head 2.

Amendment, by leave, withdrawn.

Amendment proposed, in page 3, line 5, after "fund," add "the Irish Probate Duty Grant and."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

(6.32.) COLONEL NOLAN: Before this is taken I want to know what the Government are doing. We have had so much conversation about this Irish Probate Duty and this £40,000 that I should like to be assured where we are. I should have no objection to giving the first lien on either of these sums to labourers' cottages where they are wanted; but I want it to be clear that if this transposition is allowed, the £4,000, where no cottages are desired by the Local Authorities, shall go to the relief of local taxation.

MR. STOREY: This is no more than a transposition, so far as I understand it.

MR. A. J. BALFOUR: It is owing to the fact that we have now allocated the Exchequer contribution to labourers' cottages. When the Bill was originally framed there was nothing of a fund at all, and our idea was to come down on the newest fund; but now there has been an alteration, it follows that the general grant should be come down on. I therefore think that the transposition should take place. The point referred to by the hon. and gallant Member (Colonel Nolan) is provided for by the Bill. There can be no question about it.

Question put, and agreed to.

Another Amendment proposed, in page 3, line 9, to omit the words "the county percentage and." Agreed to.

*(6.36.) MR. KEAY: I beg to move to omit the following words in lines 11 and 12: "The Irish share of the Local Taxation (Customs and Excise) Duties." This is only a small Amendment; therefore, I do not intend to detain the Committee for more than a moment in dealing with it. This is one of the items which should be left out if any other item is omitted. My objection to these words is a general one, which I have already stated to the Committee. I object to these niggardly and peddling and wholly illusory guarantees, and I consider that the British people, if they are going to devote £30,000,000 to this work, ought to have their eyes open and know what they are doing. They ought not to proceed on the pretence that there is a Guarantee Fund, which, as a matter of fact, does not exist.

Amendment proposed,

In page 3, lines 11 and 12, to leave out the words "the Irish share of the Local Taxation (Customs and Excise) Duties, and."—(*Mr. Keay.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. STOREY: This can be put in a single sentence. Take, for instance, the Excise and Customs of London, and apply them to the purchase of holdings from the landlords in Bucks or Berks, and you have what is the case in Ireland. I object to the clause on principle.

Sir G. CAMPBELL: I do not object to every item, and I hold that this particular one might be left in.

(6.45.) The Committee divided:—Ayes 173; Noes 95.—(Div. List, No. 153.)

It being after ten minutes before Seven of the clock, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again upon Tuesday next, at Two of the clock.

SELECTION (STANDING COMMITTEES.)

Sir John Mowbray reported from the Committee of Selection; That they had added Mr. Gibbs to the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures, in substitution of Mr. Baring, deceased.

Sir John Mowbray further reported from the Committee of Selection; That they had discharged Sir Walter Foster from the Standing Committee on Law, and Courts of Justice, and Legal Procedure, in respect of the Public Health (London) Law Amendment Bill and Public Health (London) Law Consolidation Bill; and had appointed in substitution: Dr. Farquharson.

Report to lie upon the Table.

MESSAGE FROM THE LORDS.

That they have agreed to,—Middlesex Registry Bill; Electoral Disabilities Removal Bill; Public Bodies (Provisional Orders) Bill, without amendment.

CLERGY DISCIPLINE (IMMORALITY) BILL [LORDS].

Bill read the first time; to be read a second time upon Thursday, 7th May, and to be printed. [Bill 293.]

EVENING SITTING.

ORDERS OF THE DAY.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

DEER FORESTS.

*(9.0.) Mr. ANGUS SUTHERLAND (Sutherland): Mr. Speaker, my justification for bringing this matter before the House in this way is that it is a matter of pressing urgency which concerns a considerable portion of the northern part of this Kingdom. I do not doubt for one moment that Her Majesty's Government would only be too glad to avert any trouble to themselves by carrying out reforms which ought to have been carried out long before now. The question of deer forests in the Highlands is one of importance, not only to people of the Highlands, but to people in other parts of the country. This question is generally what is called the crofter question, though the name is entirely new to the Highlanders; but if, however, the name can be used for the purpose of obtaining justice, I have no objection to it. What is called the crofter question can be summed up in the deer forests. I have framed my Resolution upon the definite recommendation made by the Royal Commission. I fully admit that my Resolution does not go the whole length that the needs of the case would justify, but I expect that in consequence of putting the subject before the House in this way the people of the Highlands will get an amount of support in this House that will be beneficial to them, and encourage them to keep within the bounds of the law. The adoption of this Resolution will show the people of the Highlands that there is a desire on the part of the House of Commons to do them justice. The recommendations of the Commission do not come up to the necessities of the case; but if the Government show they are prepared to legislate upon even the moderate recommendations of the Commission, it will be an earnest to the people that they intend to do something that will really

be for their benefit and good. I need not detain the House by going into all the circumstances that led up to the agitation in the Highlands. We know what has troubled the Government in maintaining law and order, as they say, in the Highlands: it had its origin in matters that are long past in the history of the Highlands. The fact that the Government persist in allowing the present state of matters to remain as it is continually invites public attention not only to the present circumstances, but to the prior circumstances, out of which the present state of affairs arose. The public conscience was shocked to such an extent by the result of the clearances in the Highlands that Her Majesty's Government issued a Commission to inquire into the circumstances. Of the composition of the Royal Commission I have not very much to say. It was a Commission that could in no way be described as one having popular sympathy. Two of its members were the largest proprietors of deer forests in the Highlands, and, with the single exception of the hon. Member for Invernessshire (Mr. Fraser-Mackintosh), there was not upon the Commission a single man who was known to be in sympathy with the people of the Highlands. My Resolution, based on a recommendation of a Royal Commission so constituted, ought, I think, to deserve some consideration from the House of Commons. The Commissioners were instructed to inquire into everything that bore upon the state of the people known now as the Crofters and Cottars of the Highlands. They divided their Report into several parts. One part was entitled "Deer Forests and Game." To indicate to the House the state of mind in which they approached the investigation of the subject I will quote what they say on this point. They say—

> "The subject of deer forests has naturally engaged our attention. Statements have been of late years frequently made, both in the newspapers and by public speakers, to the effect that deer forests are the cause of depopulation in the Highlands, and are productive of injury to the inhabitants that remain. In several of the papers read by witnesses during our inquiry similar expressions have occurred. It is proposed, therefore, to enumerate the principal grounds of complaint, and to comment on each in detail."

I have read most carefully the whole of the evidence given before the Commission, and with, I think, three exceptions, I have seen no reference made to the subject of deer forests as bearing upon the particular question of depopulation. The Commissioners go on to say—

> "The principal objections advanced against deer forests, as presented to us, are the following:—
>
> 1. That they have been created to a great extent by the eviction or removal of the inhabitants, and have been the cause of depopulation."

In the presence of the hon. Member for Invernessshire, who has an intimate knowledge of the people of the Highlands, and who was a member of the Commission, I say it is notorious that no one who knew anything of the state of matters in the Highlands ever asserted that deer forests were the cause of depopulation. It is asserted that the Highland clearances were carried out for the purpose of forming large sheep runs; but ultimately the landlords found it was more profitable to change the sheep runs into deer forests. The inference might be drawn from the Report that all this about depopulation was the sort of argument put forward by the people who went about agitating for the rights of the Highland people. The Report proceeds—

> "2. That land now cleared for deer might be made available for profitable occupation by crofters.
>
> 3. That it might at all events be occupied by sheep farmers, and that a great loss of mutton and wool to the nation might thus be avoided.
>
> 4. That in some places, where deer forests are contiguous to arable land in the occupation of crofters, damage is done to the crops of the latter by the deer.
>
> 5. That deer deteriorate the pasture.
>
> 6. That the temporary employment of gillies and others in connection with deer forests has a demoralising effect."

I wish to direct the attention of the House to the great discrepancy there is between the conclusion drawn by the Commissioners and the evidence laid before them on these points. With regard to the observation that the Commissioners found there was no great strength in any of these objections, I will read only one short extract from the evidence. As to the demoralising effect of the temporary employment upon gillies and others, the Rev. Roderick Morison, who is not a wild and irresponsible agitator, but a minister of the Established Church at Kintail, Rossshire, said :—

> "Now this land is wholly withdrawn from contributing to the supply of any of the needs of the human race, except the need of Higland lairds for cash. The venison produced is not worth speaking of, and is indeed often, if not generally, left to rot on the ground or thrown to dogs. And though no doubt wages are paid to keepers, gillies, watchers, &c., none of these men are productive labourers, and they are as completely withdrawn from the industrial population as the land on which they live from the food-producing resources of the country. Further, it is well-known that the life these men lead is demoralising in the extreme, and soon renders the majority of them useless for any purpose except that for which they are trained, so that when thrown out of employment they become simply an incubus on society. Removed, as most of them are, from all the influences of religion, education, and social and family life, it is difficult to foretell what they may become. They are not unlikely to prove, in course of time, a very troublesome and difficult element in the social fabric."

As I have said this is the statement of a responsible gentleman—a native of the Highlands—and who has had ample opportunities of seeing everything he describes. Whatever the qualifications of the Commissioners to have formed a proper judgment may have been I am perfectly satisfied for the present that the Government should make a beginning by carrying out the recommendations the Commissioners have made. I am sensible of the fact that they lack definitiveness, but they point to a principle, and what I say is, we are entitled to expect that the House should endorse the principle in the Resolution. The Commissioners deprecated the turning of any more land into deer forest unless it was above a certain altitude, and they expressed the opinion that they were not in favour of any further afforestation of land. But what has happened since the Commission reported? 2,000,000 acres of land in the Highlands of Scotland had, up to that date, been made into deer forests, and since that time 200,000 acres had been added to the forests. In a Report of a Select Committee appointed in 1873, it was shown that deer forests occupied 9 per cent. of the acreage of the Highlands. In 1884 the percentage had risen to 29, and, according to *Lyall's Sporting Guide*, it had in 1890 risen to 56½. I think the House will agree with me that this waste of land should be checked, and that the land should be devoted to purposes which would be more beneficial to the public. The recommendations I ask the Government to carry out are very moderate. What do the majority of the Commission say? They report—

> "The appropriation of land to the purposes of deer forest might be prohibited below a prescribed contour line of elevation, so drawn as to mark in a general but effective way the limit of profitable root and cereal cultivation, of artificial pasture, and of pasture adapted for wintering live stock, a line which on the east side of Scotland, in a high latitude, might be approximately fixed at an altitude of 1,000 feet above the sea level, and on the western seaboard at a lower level than 1,000 feet, making allowance locally for the convenience of the march. The advantage attached to this system would be, that the area of land which could possibly be devoted to sport alone would be circumscribed once for all, and all indefinite apprehensions, whether on the part of the farmer, the crofter, or the public at large, would be set at rest. The disadvantages attached to the hard and fast boundary would on the other hand be that the line might in some cases include for the purposes of sport exceptional spots available for profitable use, and might in others, especially on the west coast, exclude rugged and precipitous tracts, extending to the very verge of the salt water, of little use to the crofter or farmer from situation or quality, but yet well suited for deer."

I consider that is a very reasonable recommendation and one which, as I have said, for present purposes would satisfy the people of the Highlands. The Commissioners go on—

> "The alternative method would be, that in each particular case in which the proprietor desired to withdraw land from agricultural or pastoral occupancy, and deliver it over to deer, the area should be subjected to the inspection of a government officer, and that those portions of it which were adapted for crofting cultivation, for small tenancy, or generally for cultivation or wintering sheep, should be reserved, leaving the residue which was only available for summer pasture to be appropriated at the discretion of the proprietor."

I fail to see how the Government can refuse to adopt a Resolution based upon such moderate recommendations. This question of deer forests is one upon which the whole of the land question in the Highlands turns. It is because landlords in the Highlands get a better price now for the land that was first taken away from the people that the people of the Highlands do not get that justice to which they are entitled. I have my own opinion regarding sport. There is legitimate sport, and it is just as good when the land is devoted to grazing as when it is made into a desert. It is not very far back in the history of the Highlands when you could count all the deer forests on the fingers of one hand. Eminent lawyers have stated that there is some difficulty about the modern deer forests, and that it is not known very well whether those who hold them are not poachers. I remember seeing a case reported in which a Judge in the Superior Court in Scotland ruled that no person could prosecute anybody for shooting a deer in the forest of Athol, except the Lord Advocate. Perhaps the Lord Advocate will give us some information on the subject. These forests have grown in number, and if they did no harm to the people, I do not suppose that I or my constituents would trouble much about it. What I say is that they prevent the people of the Highlands earning their livelihood in a decent manner. It is said that the people can go to the Great North-West of Canada, and the predecessor of the right hon. and learned Gentleman the Lord Advocate stood up in his place in this House, and said he was sorry for the people who dwelt in the Highlands, as it was such an inhospitable climate. Only two or three days after that speech was delivered I saw the right hon. Gentleman speeding away towards that inhospitable climate, whither he was going to recuperate. Why the Highlands of Scotland are the great sanitorium of England. The Highlanders desire that they should remain so even more than they are at present; but English gentlemen are not content to meet the Highlanders on a proper equality, and want them only to be their gillies, and to carry their shooting-bags. The Government have shown great generosity to the people of the Highlands by giving them harbours. A long time ago the people were turned out of the Highlands and sent down to the seashore to become fishermen, and, strange to say, it is only now that the Government are giving them harbours. We believe that deer forests are not at all necessary for legitimate sport, but are opposed to it. Quite as good sport is got on sheep-runs as in deer forests. I know a gentleman who refused to take a deer forest because he preferred to have mixed shooting. The modern craze for deer forests simply arises from the fact that there are sportsmen who are not sportsmen, and who must have an artificially-formed desert for their own particular purposes. There are a great many other aspects of this question, but I have no desire to unduly trouble the House with regard to them. I may say, however, that the whole Highland question is at the present moment summed up in this question of deer forests. It has been stated over and over again that, instead of diminishing the amount of local labour, deer forests increase it. I can read you the evidence given by a man, who was perfectly capable of giving evidence on this point, before a Select Committee of 1873. Lord Napier's Commission said that deer forests were beneficial to the Highlands. If so, why have recommendations been proposed which would retard their growth? I see that a Member of that Commission is here to defend the Report, and I hope he will do so. It is stated that the only land used for deer forests is land that is incapable of other use. I have frequently seen that where sheep will live and thrive deer will die. I have seen deer carted away in heaps after a heavy snow storm, which the sheep lived through. The late Mr. Purvis was questioned by Mr. Clare Sewell Read before the Select Committee of 1873 as to the difference between the numbers of people maintained on a sheep run and in a deer forest. He said he employed from six to eight shepherds himself, and one gamekeeper was sufficient for the whole place as a deer forest. He also stated that a sheep-farm which employed from eight to ten shepherds could be quite easily managed by two keepers except, perhaps, in the shooting season. Asked the number of men employed under each system generally, he said the number must be in favour of sheep-farming by six to one at least. He said, further, that sheep would live where deer would not live, and that in 1859-60, when he lost a third of his sheep through starvation, the deer died first. Gentlemen who only see the country in the summer and autumn do not know what happens in the winter when severe weather comes on and the animals are driven to the lower ground. If the proposal of Lord Napier's Commission were carried out it would not mean the extermination of the deer in the Highlands. You cannot confine them, they will come down to feed in the spring. If all the land capable of cultivation were given to the crofters to-morrow, there would still be deer in the Highlands. Are they not indigenous animals? They will never be exterminated, and there will be plenty of sport and more manly sport than can be had now. To say that the deer would be exterminated is to speak without knowledge. I need not waste time in combating the absurd statement that when sheep are displaced by deer there is very little loss of the food supply of the country. Highland mutton is known everywhere, but how little is venison an article of food for the people in the market? Yet the Royal Commission accepted this dictum from gentlemen who were interested. However anxious Gentlemen who occupied positions on the Commission may have been to arrive at the truth, they being only human were bound to be influenced by the fact that if they reported against deer forests they would be taking away a considerable portion of their own revenue at the same time. Notwithstanding, it is the duty of the Government to accept such recommendations as the Commissioners have made, and I think it would be for their own benefit to show that they are determined to redress the wrongs from which the Highland population have suffered in the past. After the Report of the Commissioners was issued, and before the Crofters' Act was passed, there was in 1885 a meeting of Highland landlords held in Inverness, and they declared distinctly, at that meeting, that they were prepared, as opportunities arose, to enlarge the holdings of their tenants. Nothing, however, has been done in this direction, but, on the contrary, the afforesting of the land has been going on ever since. It was because of the promise of the Highland landlords on that occasion that the Crofters Act of 1886 did not contain more drastic measures as to the acquisition of land by the people. Despite that promise very few enlargements have been carried out, and I think I have made out a very good case why the Government should accept this Resolution in the spirit in which it is offered. It is proposed in a very moderate spirit—a too moderate spirit some of my hon. Friends say—but I want the Government to see the reasonableness of the demand that legislation shall carry into effect the recommendations of the Commission, and that the land shall be devoted to whatever purpose is best for the good of the people of the Highlands and the welfare of the country at large. I have great pleasure in proposing the Resolution.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "having regard to the recommendations of the Royal Commission (Highlands and Islands of Scotland, 1884) concerning additional afforestment of land, and to the fact that, since the date of the Report of the Commission, additional land has been afforested to such an extent as to constitute a grave national danger, this House is of opinion that immediate legislation, based upon the recommendations of the said Commission with regard to Deer Forests in the Highlands of Scotland, is urgently called for,"—(*Mr. Angus Sutherland*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

*(9.41.) Dr. CAMERON (Glasgow, College): In seconding the Resolution it will not be necessary for me, after the full statement of my hon. Friend, to detain the House more than a very few minutes. When the Royal Commission reported in 1884 there were, roughly speaking, 2,000,000 of acres of land in Scotland under deer forests, or one-tenth of the entire area of Scotland, and, of course, a vastly larger pro-

portion of the Highlands. Since then some 200,000 acres, or 10 per cent. have been added to this enormous area. The statement of my hon. Friend was not at all exaggerated when he described the composition of the Commission in regard to deer forests. Upon that Commission were Sir Kenneth Mackenzie and Cameron of Lochiel, proprietors of nearly 100,000 acres of forest, or 5 per cent. of the entire amount, and it is natural to suppose that they would not take up an unnecessarily hostile position affecting the interests of the large property they represented. Yet, despite the peculiar composition of the Commission, the Report laid down in effect the proposition that deer forests should not be extended. They expressly said that at that time most of the land specially adapted by its natural features to the habits of deer and the purposes of deer forests, and which could, without substantial injury to other interests be thus applied, had been appropriated, and the formation of other deer forests should be discouraged. Yet, since then, the land under deer forests has increased 10 per cent. The Commissioners made recommendations which, if adopted, would have prevented the extension of deer forests, if they had not led to their curtailment. They recommended that such should not be formed below a given altitude—1,000 feet above the sea. Now, my hon. Friend has said that it is alleged that at that altitude deer cannot live, and that makes me think all the more highly of the recommendation of the Commissioners. The question has been raised as between deer and sheep, and I may say that with that question I am very little concerned; what concerns me is the question as between deer and sheep and men. It is the question as between animals on the one side, and mankind on the other, that compelled the Crofter Commission to Report as they did, composed as they were. They proposed restrictions on deer forests in the future, they proposed that the proprietors of deer forests should be compelled to fence in their property, and that when the deer came upon the crofters' holdings, crofters should have an inalienable right to kill the animals. They made various other recommendations calculated to check the evils of an extension of deer forests, and to protect the crofters' industry. The Commissioners had evidence before them that crofters had to watch all night to protect their produce from deer raids, and other evidence showed how the estate rules, incident to the preservation of deer forests, were oppressive in the highest degree. Here the tenants could not keep a gun, there they could scarcely marry, and could not harbour their sons' wives and daughters' husbands without an infraction of these rules. The Commissioners did not make any recommendations that could be considered as trenching upon proprietors' rights. They were inclined to regard the whole matter in the most philosophical light, and they said if the whole of Scotland were withdrawn from the food-producing area, such was the importation from abroad that it would make remarkably little difference to the food supply of the people, there would be no scarcity, and only a slight increase in the price of the best quality of Highland mutton. Yet the Commissioners go on to say that the absorption of the country by deer forests, even though the people were provided with land in our colonies, where they can carry on their industry under more comfortable and lucrative conditions, must be viewed with alarm, because it is resisted by the force of public opinion, and attended with an amount of irritation much to be deprecated. Now the right hon. Gentleman the Minister for Agriculture, I know from previous experience, will tell us about the advantages, the increase of employment, the wealth, that deer forests bring to the country, and that these advantages are greater than would accrue if the land were under sheep; but I venture to say that his authority, great, as I know it is, and great as is his acquaintance with deer forests from a sporting point of view, cannot be placed against that of Cameron of Lochiel, a sportsman also, one of the largest proprietors in Scotland, and a gentleman who has had more to do with sheep farming than any other man in the district where he lives. He has always had the most friendly feeling towards the people of his race, and has always shown himself ready to give every consideration to all their claims. He, in the special Report which he drew up from his own point of view, recommended an alternative which consisted of the application of the principle that advances should be made to crofters on the security of their stock—an alternative which, as he said, "would gradually lead to a re-distribution of the land, without doing violence to proprietary rights." Proprietors, as he says, if his recommendation were adopted, "would probably be compelled to sacrifice some share of the rents they have lately been receiving from deer forests; but this is a precarious source of income dependent upon the fashion of the day." But since the issue of the Report of the Commission, the congestion in the Highlands has increased, disturbances have occurred, and public attention has more than ever been directed to this subject. We have an American millionaire as lessee of an immense tract of country extending from coast to coast, exercising his right in connection with this deer forest in the most arbitrary and tyrannical fashion. We all know of how a crofter was persecuted in connection with a pet lamb, so that deer might not be disturbed. Even an officer of Her Majesty's Excise was turned off the land where he ventured to intrude under warrant to look after illicit distillation. We have had popular tumults in Lewis, and it has transpired that in this congested district, where recourse has been had to State-aided emigration, at a cost which would require the value of the fee-simple of the soil to deport the so-called surplus population, raids have been made upon deer forests covering 144 square miles of ground. We shall be told that these deer forests could never be made capable of supporting a Highland peasantry; but is it not a matter of notoriety that in the glens over which these forests extend there are to be met with, the ruins of villages where a Highland population once lived. It may be true that the clearances were not made for deer forests; but it is equally true that they were made for creating large sheep farms, and the soil being exhausted and these found not to pay, the land has been converted into deer forests to meet the present fashion. Not one of the recommendations of the Royal Commission have been carried into effect, with one small exception, which I was instrumental in inducing the House to adopt—the rating of deer forests in the occupation of their owners, not at their former agricultural value, but at the rate they might be expected to let. I will say no more, because our time is limited and there are many Members desire to take part in the Debate. I would only warn the Government that the longer they delay dealing with this question the more drastic will be the remedy demanded. For the present we claim there shall be no extension, and that below a certain altitude there shall be an inspection, and that land suitable for crofters' cultivation should cease to be deer forest. It will be something to secure, that the evil shall not increase, though I do not say we shall be satisfied with that; and for my part I wish to see all the land that is cultivable in these forests restored to the people from whom it has been taken. Wise proprietors like Cameron of Lochiel, who see what is coming, are willing to meet this demand in a fair and equitable spirit. If this is not done the day of grace is fast slipping away and the recommendations of the Commission of 1884 will soon be regarded as wholly inadequate. Parliament is becoming more democratic, and the rights of proprietors so studiously regarded in the Report of the Commission will not much longer be held not more sacred than the right of men to live and labour on their own native land. I heartily second the Resolution.

*(10.0.) Mr. SHAW-STEWART (Renfrew, E.): Although a Lowlander, representing a Lowland constituency, I may perhaps be allowed to take part in this Debate, for everything that affects the prosperity or the reverse of the Highlands affects Scotland as a whole. If it were true, as has been declared by the Mover of the Resolution, that the crofter question is summed up in the question of deer forests, hon. Members on this side of the House would certainly support the Resolution. But I do not gather from the speech

of the hon. Member that he has proved the assertion with which he commenced. I was glad to hear the hon. Member say that the depopulation of the Highlands is not, as is popularly believed, due to the clearance of the land to create deer forests, but that the clearances were mainly for sheep farming. Now, if the hon. Member has read carefully the Report of the Select Committee of 1873 he cannot fail to see that one great cause of the depopulation, certainly in Ross-shire, was the suppression of smuggling. Though hon. Members may laugh it is not my assertion. I find it in the evidence given before the Select Committee of 1873. In this occupation a considerable number of the population were engaged——

*MR. ANGUS SUTHERLAND: Will the hon. Member say whose evidence he is referring to?

*MR. SHAW-STEWART: The evidence of Mr. Horatio Ross. The hon. Member has quoted the evidence of Mr. Purvis, and I think the evidence of Mr. Ross, a Highland resident for a number of years, is equally entitled to credence when he gives this in addition to the clearances for sheep as one of the reasons for the decline of the population in Ross-shire. The hon. Member based his Motion on the Report of the Commission, and then proceeded to throw some discredit on the Members who constituted it, which seems a peculiar way of proving that the recommendation of the Committee should be attended to. The hon. Member says those recommendations should be put in force because there has been so large an increase in the area afforested since the Commission reported in 1884. Now, what were the recommendations of the Commission? The Commission did not make any recommendation to be carried out at that time, these recommendations were only to be carried out in a certain event. These recommendations, or suggestions rather, were only to be given effect to in the event of there being a very much larger area of land afforested. The Commissioners said that it had been shown that in recent times crofters had rarely been removed for the purpose of making additions to deer forests, and that comparatively little of the land so occupied could be made available for cultivation or pasture. The Commissioners pointed out that deer forests gave about as much permanent employment as sheep farms, and that as regards temporary employment deer forests offered a great advantage, affording more work to masons, joiners, plumbers, plasterers, slaters, road-makers, wire-fencers, and other trades, and in the season brought more trade to shopkeepers. I am not a champion of deer forests, and have no connection with them, but I am naturally interested in the question as a Scotch Member, and I am bound to say the hon. Member has not made out his case that drastic changes should be made as he suggested. The Commissioners, while not anticipating that there would be any large increase in the area of deer forests, made certain suggestions as to the lines upon which legislation might proceed should such a contingency arise. Has there been a large increase? Before the Committee on Colonisation last year, it was shown that in 1883 there were 109 deer forests, with nearly 2,000,000 acres of land, while in 1890 there were 114, with very little over 2,000,000 acres, the increase being 148,500 acres. This is from the evidence of Mr. Malcolm, who seems to be a man who knew what he was talking about. Is that such an increase as to constitute "a grave national danger"? That is the point, because if there has not been sufficient increase since 1884 to constitute a grave national danger I do not see that we are called upon to interrupt the legislation of the Session—which is heavy enough already—to introduce legislation based on the suggestions of the Commission of 1884, which were only contemplated to be carried into effect in the case of a great increase of afforesting. If the hon. Member has failed to show that the increase since

1884 has amounted to a national danger, then his Motion must fall to the ground. On the general question of deer forests, the hon. Member dealt with it rather on the ground of sport. But it is far too grave a question to be dealt with in that light. I represent a constituency in Scotland which contains many working men, and, therefore, I am bound to consider the matter from the economic point of view, and not from the sporting point of view. Were we to do away with deer forests, should we benefit the Highlands or the reverse? I find from the Reports of the Commission of 1884 and the Committee of 1873 that deer forests pay in many parishes in Scotland quite half of the public burdens.

*Mr. ANGUS SUTHERLAND: That proves that they constitute half the Highlands; it proves nothing more.

*Mr. SHAW-STEWART: And if you do away with the forests what rent will you get? I believe that if we were to do away with deer forests to-morrow we should reduce the Highlands to the condition in which they were before this immense amount of money was brought into the country, we should also reduce the agricultural value of the land to about two-thirds, and sporting-rents would be non-existent. If hon. Members opposite can prove to me that the Highlands would be better for the abolition of deer forests, I should be glad to vote for the Resolution. But I do not believe that the putting down of deer forests would benefit the Highlands, and, therefore, not out of any consideration for sport, but on economic grounds, I feel bound to vote against the Resolution.

(10.15.) Dr. M'DONALD (Ross and Cromarty): The hon. Member who last spoke said the Government would be only too glad to do away with deer forests if that would afford a solution of the crofter question. That may be the opinion of individual Members, but I am afraid that it is not the opinion of the Government. I say it would go a great way towards the solution of the crofter question. Whatever the opinion of hon. Members opposite, or of people who know little about the subject may be, it is the opinion of the crofters themselves that to do away with deer forests would help them very considerably, and they will not be satisfied till something is done in that direction. The hon. Member, referring to the recommendations of the Commission of 1884, said that they were merely suggestions, and that it was not intended to recommend that legislation on such lines should be adopted. He quoted paragraphs from the Report. Well, on looking at that Report, I find it sets forth that it is the opinion of the Royal Commission that provisions should be framed under which croftlands should be protected against diminution for the purpose of afforestment. If the hon. Member will again examine the Report he would find that, although in the previous sentence the Commissioners used the word "suggest," they really indicate an intention to give effect to the recommendation there and then. The hon. Member who has just sat down said that no arable land was taken away for those deer forests. I do not know whether the hon. Member has ever walked through one of those deer forests; but if he were to take an exercise from Lochalsh to Beauly, he will find the ruins of many farmhouses. There is a good deal of arable land included in Mr. Wynan's deer forests. It is quite a common thing to fence in a piece of arable land in the glens, and to sow corn upon it, so that in the winter there may be food for the deer, who otherwise could not live. That is done regularly in some parts of the Highlands.

Sir A. BORTHWICK (Kensington, S.): Where are the oats in bad weather?

Dr. M'DONALD: They are standing crops.

Sir A. BORTHWICK: Where are they to be found?

Dr. M'DONALD: In the forests.

Sir A. BORTHWICK: Are they standing crops?

DR. M'DONALD: Yes.

SIR A. BORTHWICK: In the winter?

DR. M'DONALD: Yes. It shows that the forests are not sufficient to keep the deer unless the oats are sown for them. If that were not the opinion of the owners they would not go to the expense of sowing the corn.

MR. WEBSTER (St. Pancras, E.): The hon. Member has stated that the deer eat grain grown during the winter months. I should like to know the peculiar part of the Highlands where they grow that grain?

DR. M'DONALD: I do not know what the hon. Member means, neither do I know that grain is grown in the winter months. But perhaps the hon. Member knows the country where it is grown in winter. It certainly does not in Scotland. One hon. Member asked what would become of the Highlands if the rent of the deer forests were not forthcoming? Now, one argument in favour of deer forests is that they are said to pay their owners better; but if on that ground all the Highlands were converted into deer forests because good rents were got for them, what would become of the population? It might pay better for a time, but acting on that principle the whole of the people of the Highlands would have to be expatriated. Many people go on the theory that the so-called deer forests are not fit for anything else, but we in the Highlands know that that is a very great mistake. I was asked yesterday by a man of considerable culture and knowledge if the trees were very thick in the deer forests. That showed that he knew nothing of deer forests, for there are no trees in them at all. And then as to the possibility of keeping sheep on these lands, what does an animal live upon when there is no food obtainable? It lives upon its reserve of fat. It is a well-known fact that deer have hardly any fat as compared with sheep at certain seasons, and consequently sheep are far more likely to thrive in these forests than deer. With regard to the depopulation of the Highlands, the Commission in their Report say no one could contemplate the conversion of arable and pasture land into forests without alarm. And yet, as has been pointed out by my hon. Friend, a considerable quantity of such land has, since the Report, been added to the deer forests, and the process is still going on. The truth is, that as the leases of the large sheep farms fall in, the landlords are not able to stock those farms, which they are obliged to do when the farmers go out, and therefore it is that they let the farms as deer forests. Take, for instance, the deer forests in the Lewis, of which so much has been heard. I admit that the Government have done a great deal for the Lewis, but I am sorry they have not seen their way to making a road in that part of the Lewis where on about six square miles about 1,500 people are located. There is one person in Ross-shire who has a deer forest extending from one side of Scotland to the other, and, as far as I know, not a shot has been fired in that forest for at least four or five years. Do hon. Gentlemen opposite know that it is credibly reported of that gentleman that he keeps that forest up only to show the rottenness of the laws of this old country of ours. It therefore cannot be said to be kept up for sport in any form. I have no objection whatever to part of the land, which is useless for the people, being used for deer forests; but I maintain that most of the land is fit for the people, because it has been proved that sheep can live on it if deer cannot.

(10.30.) THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I can sincerely congratulate the hon. Member for Sutherlandshire both on the speech and the terms of his Motion. The hon. Member has spoken, as he always does, with a measure of good humour and intelligence, which we all appreciate. But on the terms of the Motion my congratulation of the hon. Member is perhaps more of an ironical character. The hon. Member has put into his Resolution two topics very badly calculated to attract the interest of the

House. He has urged upon its acceptance the recommendation of the Royal Commission, and has called attention to what he describes as a great national danger. First of all, as regards the recommendation of the Royal Commission. I listened with great interest to all parts of the hon. Gentleman's speech, but I did not discover that it was strongly permeated by a profound respect for the recommendations of the Royal Commission, because he permitted himself to say that some of their statements were absurd and ridiculous, and he added that he was not going to insult the intelligence of the House by repeating some of their conclusions. At the same time, he called upon us, out of respect to the Royal Commission, to adopt its recommendations. Now, the conclusions which the hon. Gentleman describes as absurdly ridiculous are argued out and supported by reasons which will recommend themselves as forcible and cogent. They discuss the whole social and economic bearings of deer forests upon the condition of the Highlands, and they arrive at strongly favourable conclusions as to the benefits conferred on the Highlands by the existing system. They arrive at that conclusion upon grounds so explicitly and carefully stated and well argued out that he would be a bold man who would merely stave them off by epithets such as the hon. Gentleman has applied to them. I find, on turning to the Report of the Royal Commission, that the Commissioners do not assign to the recommendations referred to the precise position which the hon. Member does. The recommendations on which the hon. Gentleman has laid stress are treated by the Commissioners as within the region of speculation. They say, for instance, they do not anticipate with any degree of certainty that the contingency to which they have averted will arise,

> "But, considering the divergency of opinion expressed and the possibility of unfortunate results from prolonged excitement in connection with this question, we may well consider whether the Government and Parliament may not contemplate such legislative restrictions as will restrain the progressive afforestment of land and allay the apprehensions which are widely felt on the subject. Admitting that this suggestion is worth being entertained, we trust we shall not be thought to go beyond the confines of our Commission in offering suggestively some indication of the lines on which legislation might possibly proceed."

Indeed, it would be difficult to find in 20 lines of the Report of any Royal Commission such a series of hypotheses, qualifications, and reservations.

Dr. M'DONALD: But how about the next sentence?

Mr. J. P. B. ROBERTSON: That still further corroborates my argument, for the Commissioners say that they are of opinion that provisions should be framed under which the crofting classes would be protected—observe that that was before the Crofters' Act of 1866 was passed—against the diminution for the purposes of afforestment of the arable or pasture area. I venture to say that the Crofters' Act to which I have alluded affords even a more drastic remedy than was suggested by the Royal Commission. The recommendations which the hon. Gentleman pressed upon the attention of the House were couched in very careful language, and merely offered as alternative suggestions, and offered for discussion. The hon. Member for Sutherlandshire said that there were three recommendations of the Royal Commission which were put as if they were cumulative and combined. They are nothing of the kind. They are alternative suggestions. The first, which was put in cautious language, very well adapted to the highly problematic nature of the suggestion, was that there might be a line of 1,000 feet below which a deer forest should not come. They went on to add that they knew that that formula would break down on the West Coast; but on the East Coast it might be adopted. So far as I could discover, the formula to be adopted for the West Coast was nothing less than the sea level. That is not a very exacting limit. The second alternative was that there should be a Government Inspector to look into the afforestments, and see whether there was cultivable land included in them which might be turned to use in the future. The hon. Gentleman did not even mention that plan as either reasonable or probable. The third was in favour of some reservation of ground for forestry as distinguished from afforestment, for there was much to be said for forestry as one of the industries of the Highlands which might be developed. I hope that I have shown that the hon. Member for Sutherlandshire has rather misplaced the recommendations of the Commission, because he values their doubts more than their certainties. While he regards their conclusions as being so absurd and ridiculous that he will not insult their intelligence by discussing them, he idolises their doubts and uncertainties. Has the hon. Gentleman made out his case on the footing of these recommendations? In the first place, the hon. Gentleman referred to the afforestments which have taken place since the date of the Commission in 1884, the extent of which he puts at 200,000 acres.

DR. CLARK: More than 1,000,000.

MR. J. P. B. ROBERTSON: The hon. Member for Caithness says "more than 1,000,000." The hon. Member interrupted my hon. Friend in the same way, and interposed a good round figure. The hon. Member went before the Colonisation Committee and said that 1,100,000 acres had been afforested since 1883. But the hon. Member for Sutherlandshire has been before the same Committee, and his estimate is 200,000 acres. The hon. Member for Caithness said on the 10th of February, 1891, that he had brought this estimate before the hon. Member for Sutherlandshire, and that the estimate of the latter was only 2,000 or 3,000 acres different in 500,000. That was a bold effort to capture the hon. Member for Sutherlandshire, but it did not succeed. The hon. Member for Sutherlandshire had from the 10th of February to the 24th of April to harmonise his differences with the hon. Member for Caithness, but he waives off the suggestion of 1,000,000, and manfully adheres to his own estimate of 200,000 acres. This is a question of fact and observation; and as the hon. Gentleman alleges that there is a great national danger, the extent of the afforestment must determine the greatness of the danger. Mr. Malcolm, who has apparently gone into the matter with carefulness and accuracy, and who has given precise and definite figures, says that since the Report of the Commission the extent of the afforestment has been 148,500 acres. But, for the purpose of argument, I will take the figures of the hon. Member for Sutherlandshire. The hon. Member declares that the change to which he refers constitutes a grave national danger. How does it do so? Does the hon. Gentleman desire that these 200,000 acres should be restored to the sheep farms? Because the change that has been made since 1884 has been merely turning large sheep farms into deer forests. Is the hon. Gentleman justified in contending that a grave national danger is constituted by having a few deer forests in place of sheep farms? The House ought to be careful in adopting a conclusion of such vast proportions to remove the tendency to alarm, so far as the public mind is concerned, as to what will be the extent of the injury which will constitute this grave national danger. Were we in safety when we had the large sheep farms, and, if so, what new condition of things has been brought about to the detriment of the farmers who are usually under the ægis of hon. Gentlemen opposite? Turning to the recommendations of the Crofter Commissioners, they say that the two points which they were to have in view were, first, to keep for the crofters what they had already—and that has been done—and then to reserve the areas of cultivable land which should be available in order to constitute a sufficiency of holdings for the crofters. The hon. Member's speech contained a great deal, but it did not contain a suggestion as to how much land there is available for cultivable holdings in the tracts afforested. We are left in the dark as to that. The matter is left as an abstract question, consequently we are left to assume that the hon. Member cannot assert that in these afforested tracts there is more than the average amount of cultivable land. What does all this amount to? Take the 200,000 acres and deal with them as a sum of proportion. We know exactly what is the proportion of cultivable land in an ordinary sheep farm such as is turned into a forest. Most of it is high and rough, and very little is cultivable. The hon. Member will hardly venture to affirm that there are more than 200 acres of cultivable land in the afforested acreage which he has named, and a crofter ought not to be penned in a holding of less than 10 acres. Therefore, accepting the hon. Member's own figures, the whole grievance which is said to constitute a grave national danger, comes to this—that some 20 crofters' holdings have been absorbed by these afforestments. The hon. Member ought to be anxious to retain the respect which is entertained for his case and his character by abstaining from exaggerations as grievous as those I have pointed out.

*Mr. ANGUS SUTHERLAND: I did not base my case on the fact that holdings of cultivable land are everywhere necessary. There is no reason why small holdings should not be pastoral as well as agricultural.

Mr. J. P. B. ROBERTSON: The House must observe that the whole of the reasoning of the Crofters' Commission has proceeded on taking hill-pasture as well as arable ground, and all the conclusions of the Commission assume that a sheep requires a certain amount of hill ground—five or seven acres, I think—in order to maintain an existence. The A B C of the calculation is that you must have a small patch of arable land and a sufficient acreage for sheep for the crofter to begin with. I have shown, therefore, how devoid of solid foundation are the cases stated by the hon. Member. But I must add a few words on another most important subject—one on which there is, no doubt, frequently an extraordinary attempt made to excite prejudice. Sir, I deprecate most strongly—as the hon. Member for East Renfrewshire did with great force and effect—the notion that this question of deer forests is exclusively a sportsman's question. It is really an economic question affecting the welfare of the Highlands; and the mature conclusions of the Crofters' Commission, after hearing all persons interested, were that for the general well-being of the Highland population, deer forests do more than sheep farms. I am dealing now with the allegation that there is a grave national danger, and it is indispensable that the public should have a clear notion on that subject. As a matter of history, how comes it that in the instances referred to deer forests have been substituted for sheep farms? Not through the caprice of the landowner, not in order to increase the amount of sporting land, but for a purely economic reason—because the fall in the price of wool has made sheep farming a bad business in the North of Scotland, and rents cannot be obtained for large sheep farms; and in every one of the instances where there has been a change since the Crofters' Commission from sheep farms into deer forests it has been due not to any desire to establish luxuries, but simply to employ the land in the only advantageous way available. That is proved to the mind of every one who examines the evidence taken by the Committee, presided over by the Under Secretary of State for Foreign Affairs. Mr. Mackenzie, one of the leaders of the crofters, stated that what had led to the change was the fact that for large sheep farms even barely reasonable offers could not be obtained, while advantageous offers were made for deer forests. The Crofters' Commission reported on this subject—

> "The number of persons permanently employed in connection with deer forests as compared with sheep farms is about the same, and as regards temporary or occasional employment the advantage is in favour of deer forests."

The Commissioners on the more general question also said—

> "Contrary to what is probably the popular belief, deer forests in a far greater degree than sheep farms afford employment to masons, joiners, plumbers, rural tradesman, &c."

Therefore I emphasise the statement that deer forests are, under the present economic conditions, not advantageous merely for the selfish purpose of the landlords who draw a big rent, but advantageous to the whole community. I will refer to an expression of opinion not by this Parliament, but by one differing in its composition from this very largely—I mean the short Parliament from 1885 to 1886. In the Crofters Act provision was made for the enlargement of holdings, and a clause was assented to by the Member for Clackmannan to the effect that the enlargement should only be made from deer forests in the event of the Commissioners believing that it was for the advantage of the whole community that the change should be made. I say that this was a challenge on the part of Parliament — not a Tory or Unionist Parliament, but one of a very different character—to the parties interested, to show whether the economic condition of the Highlands was better served by one state of things than the other. I have dwelt on these considerations, because the present Motion, although it refers to a comparatively limited subject, opens up large questions. We are asked to-night to avert a "grave national danger." It is my opinion that it has not been shown that there is any grave or national question to meet. I will go further and say that upon the facts before us the change that has taken place appears to be a change for the better. I trust that the House will resolutely negative a Motion, which, if carried, would give rise to misleading expectations as to the opinions held by Parliament on the state of matters that are not to be considered in the interests of sportsmen or any privileged class, but as every question of this kind should be considered, in the interest of the whole country.

*(10.58.) **MR. MARJORIBANKS** (Berwickshire): The right hon. and learned Gentleman who as just sat down has attempted to deal with the arguments of the hon. Gentleman behind me in a light and trivial spirit. He has shown that there are such things as ornaments of Debate, and I am afraid that sometimes, also, there are ornaments to the Resolutions which are presented to the House. I find that the right hon. and learned Gentleman has fixed on an ornament of the Resolution of my hon. Friend, and has treated that ornament as if it were the whole Resolution. He has drawn attention to the words "grave national danger," and has made fun of them, and has left out of consideration and argument the serious and material part of the Resolution. The right hon. and learned Gentleman said that my hon. Friend whilst he professed profound respect for the utterances of the Royal Commission did not pay much attention to the words of their Report. Now, that is a charge that I am prepared to meet with an absolute denial. I want to know how my hon. Friend could have paid more respect to the Report of the Commission than by adopting word for word the recommendations of the Commission with regard to this question of forests. I must say I have to find fault with the right hon. Gentleman for the way in which he has placed the recommendations of the Commission before the House. The right hon. Gentleman has attempted to show that the Commission's recommendations are mere suggestions as to possible legislation. The recommendations of the Commissioners were fourfold—first as to the fencing off of deer forests from arable land.

MR. J. P. B. ROBERTSON: I directed myself to what the hon. Member for Sutherlandshire spoke of—namely, fresh afforestment.

***MR. MARJORIBANKS**: What we have to consider are the words of the recommendations. The second recommendation is that no land should be taken from crofters for the extension of a forest without other land being substituted therefor. The third is with regard to a method for deciding what land may in future be appropriated for forests, as to which I admit the Commissioners put forward merely suggestions of an attitude limit being fixed, or of a reference to a Government Inspector; and the fourth is as to the planting of land. It seems to me that these recommendations are exceedingly moderate, and they are recommendations which can be adopted by any Government without resorting to revolutionary method, and without doing anything which would injure any interest in Scotland. I certainly should not have been prepared to support the Resolution of my hon. Friend if it had gone to the lengths suggested by the hon. Member for Renfrewshire (Mr. Shaw-Stewart), who seemed to think it involved the destruction of all deer forests in Scotland. I am bound to confess that many people greatly exaggerate the damage that is done by deer forests and the danger to the country that results from them. But there is one thing in the use and another in the abuse of deer forests. I admit that there is great abuse of forests in Scotland, and it is to stop that abuse that I think legislation is required. I should like to refer for a moment to some of the statements made by supporters of the Resolution. The hon. Member for Sutherland spoke of the statement made by the Rev. Roderick Morrison to be found in Appendix A to the Report of the Crofters' Commission. The rev. gentleman said in that statement that the venison produced was not worth speaking of, and that it was often, if not generally, left to rot on the ground or thrown to the dogs. I am bound to say that is an absolute falsehood. I can tell the House how the idea arose. There was a very clever picture in *Punch* by Mr. Du Maurier representing Mr. Winans seated, surrounded by the dead bodies of deer. Well, I am no friend of Mr. Winans, but I may say that he never got so far as to leave the bodies of the deer he had killed rotting on the ground. Then the rev. Gentleman went on to say that none of the men employed in a deer forest were productive labourers. That is also a very considerable exaggeration, to use the mildest term. I know that these men are used in many other ways than for mere sporting purposes. They are used for the making of roads to a very large extent indeed, and I think sufficient credit has not been given to the proprietors of deer forests for the way in which they have opened up the country by the making of roads.

Mr. BUCHANAN (Edinburgh, W.): Nobody goes on them.

*Mr. MARJORIBANKS: Oh, that is a mistake. The rev. gentleman further said the life these men lead is demoralising in the extreme. I know them, as a rule, to be temperate, well-educated religious men, often elders in the church to which they belong. I should like the rev. gentleman to make this statement to men so employed in his congregation. I do not think he would find he would long retain his congregation. The hon. Member for Sutherlandshire raised the question of the comparative capacities of deer and sheep to stand hard weather. It is quite true that sheep will stand very hard weather at a high altitude. But those that do so are the hogs, the old sheep of the flock. If a farmer were to attempt to keep his ewes and lambs at high altitudes in winter, the result would be so grave that he would very soon have to give up sheep-farming altogether. I admit that if you were to confine the deer to the tops of hills which were covered with snow they would die. But the deer in bad weather goes to the low ground and finds wintering for himself. My hon. Friend (Mr. Sutherland) said many people preferred to shoot deer on sheep runs than in a forest. I have considerable sympathy with my hon. Friend on that point. I have myself killed a great number of deer on sheep grounds, but I would point out that sheep ground is not a bit more available for the purpose of the crofter than forest. Any sheep ground on which it is possible to kill deer is sheep ground in the occupation of large holders, and is, therefore, just as much a desert and just as solitary as a forest.

*Mr. ANGUS SUTHERLAND: My right hon. Friend will admit that it is also possible to kill deer on crofters' ground.

*Mr. MARJORIBANKS: I do not think I should expect to kill many deer on common grazing. Reference has been made to the ruins of villages which it is said are to be found in deer forests. It is a very rare thing, as far as my experience goes, to find the ruins of villages in deer-forests. I do not say that they are not to be found, but that the ordinary ruin in a deer forest is that of the shieling where men used to take their cattle out during the summer to feed on the high ground. The hon. Member for Rossshire spoke of having seen ruined villages when walking through the forest now in the occupation of Mr. Winans. Twenty-five years ago, before that land was made forest, I stalked over the whole of it, and I can assure him that such ruins do not exist in the glens—Glen Cannich and Glen Affaric — he speaks of. The hon. Member also spoke of oats being sown for deer, and the fences being taken down so that the deer might go in and eat the crop. His experience must be exceptional. I quite admit that deer are fed in winter in places, but the process ordinarily adopted is to make up ropes of hay and straw, and put them out in the forest for the deer to gnaw. I believe that a noble Lord used once to bring beans from Egypt and put them down on the seashore for the deer to eat. The hon. Member further said that sheep could get through the winter better than deer, because they had so much reserve fat on them, whilst deer had not. I should say that there is no animal known which has such an extraordinary faculty for laying on fat as the deer, and Christmas time is the very time when most fat will be found on a hind. It is only as long as the deer forest combines the greatest amount of good with the least amount of harm that it can go on. It is the requirements of the small holders will have to be considered, and it is perfectly evident that if the land is required for, and capable of, cultivation it ought to be available. I believe that to give effect to the very moderate recommendations of this Commission would be a most useful thing, and a measure of concession to the crofter requirements in the Highlands, which even a Conservative Government might give without sacrificing one jot of its principles. For these reasons I shall support the Resolution of my hon. Friend.

(11.17.) Dr. CLARK: I quite agree with my hon. Friend the Member for Sutherlandshire that had it not been for the deer forest the crofter question would not have attained its present acute state. It was not a question between sheep and deer, but between sheep and men, and it would be far better to have the sheep and the men back. But the deer forest mania came in, and the landlords have been able to turn their sheep farms into deer forests, which will pay very well as long as the fashion lasts. But in all probability a new turn will be taken, and then the big landlords will find that deer forests will no more pay than did the sheep farms, and then, perhaps, they will be very glad to get the men back again. Now, Mr. Malcolm's evidence has been quoted. Mr. Malcolm is Secretary to the Society formed by the landlords for the Protection of the Deer Forests. We wanted to get reliable evidence, and we got Mr. Macrae, Secretary to the Land League, to make a series of investigations. He took Mr. Malcolm's report and his book on the subject, which the Duke of Argyll and the Duke of Sutherland eulogised too much, and he pointed out how from 1883 the deer forests in the whole of Rossshire had increased from 9 per cent. to 29 per cent. He also took the *Sportsman's Guide* for the present year, and showed that the amount had increased 56½ per cent. Now, Mr. Malcolm's interest in the landlords has never yet been called in question, and the figures which he gave to the Committee will be recognised by the Minister of Agriculture, who is a relation of the Duke of Sutherland, as accurate. When the Report of the Commission was published, the Duke returned 145,000 acres as deer forests. Mr. Macrae's researches show that he has increased that quantity by 400 per cent., and he enumerates the names of the farms. I brought these figures under the notice of my hon. Friend (Mr. Sutherland), previous to my giving evidence before the Commission. My hon. Friend told me that these figures were true.

*Mr. ANGUS SUTHERLAND: I certify to the farms being correct; but I know nothing as to the figures.

Dr. CLARK: I suppose we can get them verified from the valuation roll of the country. Well, we have had a defence of the deer forests from my right hon. Friend who has replied to the speaker on this side, and if it be true that we have got a case that will not hold water, then the Lord Advocate ought to laugh at us. My right hon. Friend tells us that we are mistaken about houses being in ruins, and that they were mere shielings used in winter. But it is a fact that we not only find houses but chapels in ruins. In the Park Deer Forests there are 18 townships turned into deer forest. I am not at all astonished at the Report of the Royal Commission being so tentative. It was a Commission of big landlords, who held a large number of deer forests, and got big returns from them. If you had a jury of wolves or sheep you would get a Report of much the same character. But even this jury of men who had destroyed the Highlands reported that afforestment should be restrained, and that the crofters ought not any longer to be turned away from the forests. Evidence was also given that there ought to be a limit to the altitude. Neither the late nor the present Government, have carried out any of the recommendations of the Commission, and the result is that the deer forest system is growing and growing, and the people have less and less room, and are being huddled together in places where they cannot live and thrive. They are being physically, and perhaps morally, deteriorated. You have had more afforestation since the Commission said that things had better remain as they were. We have had the economic argument trotted out, but if the figures are accurate, we have had the enormous growth in deer forests of something like 50 per cent. in seven or eight years. As the matter now stands, the Government are not going to do anything to carry out the recommendations of the Commission. But the time is coming when we shall have an appeal to the country, and we intend to appeal to the people in the North as to whether the land is to be used for the good and the well-being of the whole, or for the amusement of the few. We have no doubt that when the time comes the verdict will be given in our favour.

(11.32.) The PRESIDENT of the BOARD of AGRICULTURE (Mr. Chaplin, Lincolnshire, Sleaford): I hope the House will allow me to intervene in this Debate for a few moments I am glad to admire the spirit and ability with which the hon. Member in introducing this Motion, called attention to the recommendations of the Royal Commission, as well as the sympathy he evinced for the people of the county which he represents in this House. The Government have no reason to complain of the tone of the speech in which the Motion has been introduced, and have certainly no disposition to defend the abuses of deer forests which have been referred to in this Debate. I do not think that any Member of this House will reprobate with greater austerity than we desire to reprobate the alleged conduct of the foreigner who has been mentioned, who holds such large tracts of land, and whose methods of so-called sport have gone far to create widespread dissatisfaction with deer forests in general. I think there is some excuse for the exaggeration which is sometimes indulged in on this question, and on that point I shall have something to say before I sit down, in reply in particular to the hon. Member for Caithness. But what are the facts with which we have to deal? The hon. Gentleman who introduced the Motion referred to the six objections to the system of deer forests which are quoted in the Report of the Royal Commission, and he told the House that he differed entirely from their conclusions. But I observe with some surprise that the hon. Member only dealt in his speech with the sixth objection by way of disposing of the statements of the Commissioners. In support of his case, the hon. Member referred to the evidence given by the rev. gentleman the minister of Kintail before the Commission that venison is left to rot on the ground. That evidence, I venture to say, is tainted with a great deal of ignorance. I am prepared to say that that statement is an absolute fabrication. Venison is neither left on the ground to rot, nor is it thrown to the dogs. All the venison which is not consumed in the establishment of the owner is widely distributed among the cottagers; and if you put the question to the shepherds or to any of the poorer classes in the Highlands—to those who live in the neighbourhood of the deer forests—you will find that a great part of the substance on which they live throughout the winter is venison, and that it is the only flesh which enters their cottages for consumption. For this they are indebted to the liberality and generosity of the owners of the deer forests in the Highlands. With regard to the rubbish talked by this rev. gentleman as to the bodies being allowed to rot on the ground, I will undertake to say that greater nonsense was never given utterance to. Now I come to the question of the acreage which has been added to the deer forests since 1884. That is a point on which the hon. Member for Caithness particularly challenged me. The Resolution submitted to this House to-night stigmatises the increase in the acreage as a grave national danger. If it does not amount to such a danger, then, of course, the Resolution falls to the ground. The hon. Member made a number of quotations, and endeavoured to show that in one county alone—the County of Sutherland—511,000 acres had been added to the deer forests since 1884. He was good enough to give us statistics. Since dinner I have put into operation the resources of the telegraph, in order to make myself fully acquainted with the real facts. I will, with the permission of the House, reply to his statements. The hon. Member for Caithness said that the farm of Glendhu, consisting of 128,000 acres, had been placed under deer. It has been placed under deer; but it consists of about 35,000 acres, and the information was supplied to me by the agent of the Duke of Sutherland in the Lobby 15 minutes ago. I also telegraphed to the Duke of Westminster, who replies that Glendhu was cleared because no tenant offered to pay the rent. He puts the extent of the farm at about 40,000 acres. Let me now take the other instances cited by the hon. Member—

Name farm.	Hon. Mems. Est.	Actual acreage as supplied to Mr. Chaplin.
	Acres.	Acres.
Strathmore of Melness	80,000	31,000
Corry Killoch	80,000	10,800
Ben Hee of Skinness	40,000	5,000
Glen Caniop	60,000	33,000
Coulmore and Coulbeg	40,000	19,000
Kildonan..................	80,000	30,000
Mudale	3,500	3,500

Thus, while the hon. Member says that 511,000 acres have been added to the deer forests in the County of Sutherland since 1884, according to my information the real amount is 153,000, and the hon. Member was consequently nearly 400,000 acres wrong.

Dr. CLARK: Still, the acreage has doubled since 1884.

Mr. CHAPLIN: That is the best reply I can put before the House. The House will judge of the sort of value they may generally place on the information of the hon. Gentleman. I look upon this as a specimen of the want of information which widely prevails in connection with the question. Statements are constantly being placed before the public which are utterly and entirely misleading as to the real merits of the matter. But supposing the hon. Member is right, why have these forests been cleared? It has been because tenants could not be obtained for them as sheep farms. Anyone who is acquainted with the County of Sutherland must be aware that the Duke of Sutherland has spent a gigantic fortune in the endeavour to reclaim land for the benefit of the people, and a few years ago no one was more sternly opposed than he to placing land under deer. But when the time arrived when sheep farms ceased to pay, in consequence of the enormous fall in the price of wool, brought about by foreign competition, every proprietor gifted with common sense had to consider by what means he could derive a revenue from his property, a revenue which, in the case of the Duke of Sutherland, is spent entirely in the county and among the people. Surely no one would have been justified in refusing a rental derived from sporting holdings which it was impossible any longer to obtain under the old system. The hon. Member stated that sheep will live where deer die in a severe winter. That assertion I venture to contradict across the floor of the House. I have had some experience in this matter, for it happens that some years ago, in a very wild and inclement district in the County of Sutherland, the sheep on certain farms died off in large numbers, owing to the cold and snowstorms, the tenant was ruined, no one else would take the holdings, and they were converted into a deer forest. I walked over the ground in the early spring, and while I saw hundreds of carcases of sheep, I found but very few of deer. Where one deer had died, sheep had died by the hundred. It was impossible to continue the holding as a sheep farm, and that I believe illustrates the reason why so many of these deer forests have been added in the Highlands. The hon. Member who introduced the Motion said that the failure of the sheep farms afforded a golden opportunity of restoring the crofters to the land. To what sort of land? Why, according to the hon. Member's own showing, to land so destitute that even deer could not live on it in the winter. Upon the economic question it will not be necessary for me to detain the House long. The Royal Commission sifted this question thoroughly, as their Report shows, and they hold that the deer forests afford as much employment as the sheep farms. As to the food argument, the amount of sheep displaced amounted only to 132,000, out of a total in the United Kingdom of 31,000,000. The food argument, therefore, will not bear investigation for a single moment. The recommendations of the Commissioners for all practical purposes are only two, and relate to forests created after 1884. They have been pressed on the attention of the Government with much energy by the right hon. Gentleman the Member for Berwickshire. The Commissioners recommended that deer forests should not be created in districts less than 1,000ft. above the sea. Such a limitation would be absolutely impracticable, for some of the most suitable districts for deer forests are on the West coast of the Highlands. In many cases upon the West coast the hills rise almost precipitously out of the water, and even within the limits of 1,000 ft., the land would in many cases be useless, except for a deer forest. It is on the immediate coast—where the snow does not lie, that it would be most useful for the purposes of wintering the deer, and such a limit as that which is proposed would exclude this land, which in many cases would be useless for anything else. I am told the question whether certain districts shall be permitted to be converted into deer forests should rest upon the decision of a Government Inspector, but I cannot imagine anything likely to afford a less satisfactory solution of the difficulty. I will merely say, in conclusion, that the Motion rests solely on the contention that the existence of these deer forests constitutes a grave national danger. I think my right hon. Friend has absolutely disproved that, and there is not now a shred of argument in support of it. The real questions which we have to consider are those asked by the Commission. Does the occupation of land as deer forests inflict any hardship or injury on any class of the community, and, if so, upon what class? And, secondly, does the occupation of land as deer forests produce any crop or benefit to any class, and, if so, what class? To the first of these propositions the Commission in general terms unhesitatingly say "No," and to the second "Yes." The House of Commons will attach more weight and importance to the opinion of a body of gentlemen who have had the whole evidence placed before them than it will to the opinion of any individual Member of the House. The Commission says that since 1884 the addition to the deer forests in the Highlands has been comparatively small; it has been shown that it has been brought about because there are no other means of laying out the land to advantage. In the course of the operation not a single crofter has been evicted or removed from his holding. That is the case upon which the Government is asked to postpone the Irish land question and other Imperial business, in order to introduce immediate legislation upon this question, so as to remove a national danger which has been shown not to exist. I am bound to say that the demand embodied in the Resolution is so extreme and unreasonable that the Government are justified in refusing it.

(11.55.) SIR G. TREVELYAN (Glasgow, Bridgeton): I have to thank the right hon. Gentleman for his careful and interesting statistics produced at such short notice, but what do they prove? They prove that within the last few years the deer forests in Sutherlandshire have been more than doubled. Besides that, I know of my own knowledge that in the Island of Lewis a very large piece of land has been turned into a deer forest—at the least 50,000 acres. In Sutherlandshire we have an addition of 150,000 acres; and, further than that, the increase of acreage has been going on on a large scale in Argyllshire, Inverness-shire, and Ross-shire. I affirm there is a national danger in these conversions. Was there no national danger in the recent deer raid in the Lewis? And that was carried on in a forest which fulfilled all the conditions of the Commission, it was on a low elevation, and if the recommendations of the Commission had been carried out, it could not have been turned into a deer forest. If hon. Members wish to know what the danger is let them read the extremely eloquent speech of the hon. Member opposite. The reason he gave for the existence of the forests was that the land would not pay for sheep-farming because of the rents charged by the landlords; and, in consequence of this economic law, the right hon. Gentleman said landlords were justified in turning the land into deer forests, and this was to be done by the frank advice of the Minister of Agriculture. The Commissioners protest, in a most eloquent passage in their Report, against the doctrine that because of any economic question the Highlands should be turned into a desert. The hon. Gentleman said that these 200,000 acres would not support 100 crofters. But the Commissioners say each five acres will support a sheep, so that these 200,000 acres should support 40,000 sheep, and I should like to know how many crofter families could be supported by 40,000 sheep. The people of the country have unanimously elected Members who sent them to Parliament to ask that these forests might be trenchantly dealt with, and in the long run they must have another sort of answer from the Government.

(11.58.) The House divided:—Ayes 120; Noes 73.—(Div. List, No. 154.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Motion, by leave, withdrawn.

SUPPLY — Committee upon Monday next.

TRAMWAYS (IRELAND) ACT (1860) AMENDMENT BILL.—(No. 160.)

Considered in Committee.

(In the Committee.)

Clause 1.

Question proposed, "That Clause 1 stand part of the Bill."

Committee report Progress; to sit again upon Monday next.

PLACES OF WORSHIP ENFRANCHISEMENT BILL.—(No. 8.)

COMMITTEE.

Order for Committee read.

*MR. SPEAKER: There is an Instruction on the Paper which is out of order. It proposes that the provisions of the Bill should be extended to the acquisition of sites for public elementary schools; but the Bill only provides for the conversion into freeholds of the sites of places of worship held on lease. The subject of elementary schools is also foreign to the Bill.

Bill considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Wednesday 10th June.

House adjourned at a quarter after Twelve o'clock till Monday next.

HOUSE OF LORDS,

Monday, 27th April, 1891.

METROPOLITAN CEMETERIES.

QUESTION—OBSERVATIONS.

*The Earl of MEATH, in rising to ask Her Majesty's Government whether they approve of the interment of bodies in burial grounds and cemeteries situated in populous centres, and, if not, whether they will take steps, by Orders in Council, to close for purposes of interment the Tower Hamlets City of London Cemetery in the East, and the Brompton Cemetery in the West, of the Metropolis, said: My Lords, I desire to draw your Lordships' attention to a danger, which I think is increasing, to the health of this Metropolis. Within the last half century, or, indeed, less than the last half century, over 1,250,000 bodies have been buried within what are now the limits of the Metropolis, and I think it is generally acknowledged at the present day by scientists and by all who take an interest in and who have studied the question, that the accumulation among great masses of population of vast quantities of decomposing human remains is dangerous, and increasingly dangerous, to the public health. It is now some years since Her Majesty's Government were given powers to refuse sanction to such burials in the Metropolis, and yet, curiously enough, there are two very large cemeteries situated within the Metropolitan area surrounded by large masses of population, in which burial is still permitted. I allude to the West Brompton Cemetery and the Tower Hamlets Cemetery at Bow. In the West Brompton Cemetery, which I understand was purchased by the Government in 1856, and which belongs, consequently, to the Government, and is under the control of the First Commissioner of Works, there are over 150,000 bodies buried, and it consists of only 38 acres. Consequently, that is at the rate of some 5,000 interred there a year. I believe that Her Majesty's Government have received from the dues paid from time time a profit out of this ground of some £7,000 a year. I know that is a great temptation for Her Majesty's Government to say that this burial ground is still fit for interments; but the strength of individuals, and I suppose the strength of Governments is shown by their power of resisting temptation, and I hope Her Majesty's Government may resist any temptation that this £7,000 a year may hold out to them. Then, with regard to the West Brompton Cemetery, that is a still more serious case as a source of danger, for there we have not to deal with 38 acres, but only 17 acres, and 250,000 interments in place of 150,000, and also we have the fact that in some of what are called "common graves" as many as 70 bodies have been interred at one time. Resolutions have been passed by Local Bodies asking Her Majesty's Government to close this cemetery, and the answer that has been given is that there is still room for common graves. Now, my Lords, my contention is that this is not a question whether there is room for common graves or for graves which are uncommon, whatever they may be, but that within the metropolis no burials whatever ought to take place. We have here an enormous population of 4,500,000 crowded within a space of some 17 miles by 12 in size, and, I assert, and I think most of your Lordships will agree with me that we ought not to do anything which can unnecessarily pollute the air. Now, what does a great sanitary authority, Sir John Simon, say upon this subject in regard to common graves. He said in 1853 that they were most dangerous and that "no consideration of cheapness can justify the placing of many bodies in one pit;" and he goes on to say that overcrowding of graves causes the soil to become saturated and polluted with animal matter. Now, it is perfectly certain that in a large town like this, there is the greatest necessity for pure air. Scientific authorities tell us that it is impossible to obtain perfectly pure air considering the enormous number of human beings who are breathing out noxious gases, and who are consuming the oxygen which is the life of the human body. When we think also of the enormous number of animals there are in mews and elsewhere, when we consider the quantity of dust that must be swept up in the streets and the accumulation of dust and offal of all kinds,

An Asterisk at the commencement of a Speech indicates revision by the Member.

and when we consider the amount of organic matter that is floating in the air, I think it is extraordinary that we should permit any burials at all to take place within this Metropolis, when we are told by such an eminent sanitarian as Sir John Simon that those burials certainly conduce to the increase of organic matter in the air. I therefore beg to ask Her Majesty's Government the question which stands in my name.

*LORD DE RAMSEY: My Lords, before answering the noble Lord's question, I desire to correct a misapprehension under which he labours with regard to the amount of payments from the Brompton Cemetery to the Government. He has stated that they are £7,000, but in reality I am informed that they are £6,000. I only mention that so that the noble Lord may not think for an instant that it has anything to do with the question of payments to the Government whether this cemetery is kept open or not. The Government do not approve of, and it is their policy to prevent, the interment of bodies in populous centres where it can be shown that the interments are or may be prejudicial to the public health. The Secretary of State has power to close by Order in Council burial grounds which may become overcrowded, or where it is obvious that too many might be interred, and be therefore prejudicial to the public health. No new burial grounds can be created in the Metropolis or in any district where an Order in Council has been applied for without the express sanction of the Secretary of State. In the selection and approval of new sites precautions are always taken as to the suitability of the soil, and drainage, and all other conditions necessary to the public health, and under no circumstances can a burial in a new ground take place within 100 yards of a dwelling-house without the consent of the owner, lessee, or occupier of such house. The powers given to the Secretary of State are most scrupulously exercised throughout the country. With regard to these two cemeteries which have been referred to, the West Brompton and the Tower Hamlets Cemeteries, when the noble Lord's question appeared on the Paper, the Secretary of State asked the Inspector to report as to the present condition of those two cemeteries, and he reported with regard to the West Brompton Cemetery that he has from time to time paid surprise visits to that cemetery, and that, in his opinion, it is not a source of danger to the public health. With regard to the Tower Hamlets Cemetery, the attention of the Secretary of State has from time to time been called to it, and careful regulations have been made with the view of preventing possible danger to the public health. The Inspector was specially instructed last year, in consequence of a representation that was made by the Mile End Vestry, to satisfy himself by occasional visits that the regulations were fully carried out. The Inspector has reported, with reference to the noble Lord's question, that since he received those instructions he has paid surprise visits to the cemetery, and has satisfied himself that the regulations are duly observed. He paid a visit as recently as the 3rd inst., and he saw nothing that led him to believe that the cemetery was a source of danger to the public health. The noble Earl is very well aware of the difficulties that the Secretary of State is under in relation to this subject—the difficulty of providing burial grounds for the poorer population. He is most careful in giving assent of any sort to any burial site; and it is only under exceptional circumstances that any site is allowed to be used in crowded districts as a burial ground.

REGISTRATION OF ELECTORS ACTS AMENDMENT BILL.—(No. 95.)

Amendments reported (according to Order); and Bill to be read 3ª To-morrow.

NEWFOUNDLAND FISHERIES BILL.

[H.L.]—(No. 76.)

SECOND READING.

Order of the Day for the Second Reading, read.

*THE SECRETARY OF STATE FOR THE COLONIES (Lord KNUTSFORD): My Lords, when I introduced this Bill on the 19th of March I gave such a full explanation of the reasons which necessitated the introduction of the Bill and of the general policy of Her Majesty's Government that I should not feel justified in going over that ground again at any length. But, as some of your Lordships who are present to-night were not present on the former occasion, perhaps I may be allowed to refer as briefly as possible to some of the leading points I then brought under the notice of your Lordships. There is this additional reason for my taking this course. Since the First Reading of this Bill we have had the advantage of hearing a very able and temperate speech at the Bar of this House by Sir William Whiteway, the Premier of Newfoundland; and some of the points to which I shall refer appear to me to afford a sufficient answer to some of the objections which Sir William Whiteway raised. May I observe in passing that although Her Majesty's Government could not give their assent to many of the statements made in the Petition of the colonists—and, although they regretted the tone of some parts of that Petition—yet from the first they have never hesitated to give their ready assent to the prayer of that Petition that the Representatives of the colony should be heard at the Bar of the House? In the first place, then my Lords, I endeavoured to show on the former occasion that this Bill does not interfere with any local questions; that it does not interfere with any matter of internal regulation or administration in the colony, nor with the independence of the Colonial Legislature. The Bill is of an Imperial character, involving international obligations, and it has for its sole object to enable this country to secure the observance of those international obligations and arrangements which are binding upon us. Those obligations affect the fishery rights of the French along certain parts of the coast of Newfoundland, and are as binding upon the colony, as part of the Empire, as upon this country. We hold that the colonists received the grant of a Representative Legislature subject to such Treaties and obligations. Therefore, it became their duty, in the first instance, to pass such measures as might be necessary to secure the performance of those obligations; and I may say that in 1832, when the Legislature was given to the colony, Lord Goderich, Secretary of State for the Colonies, pointed out in a Despatch, dated July 27 of that year, that the Fisheries Act, which was an Act of the Imperial Parliament, would be continued two years—that is, till 1834 — but that then the Colonial Legislature should be called upon to act. I do not gather that this is disputed by Sir William Whiteway, though he made use of the expression that "the Legislature of the colony did not assume the duty." If he means by that that the colony does not acknowledge the duty, he has afforded the strongest possible argument, not only for the introduction of the Bill, but for its passing, because it amounts to a refusal to legislate. But I did not understand him to mean that. I understood him to point out to your Lordships that ever since 1834 the Colonial Legislature had not at any time been called upon to legislate, and that, in fact, no legislation had been passed either here or in the colony since that date. That is true. There has been no question of legislation from 1834 until now, but the reason is very obvious. Since that time the naval officers have year after year secured the observance of the Treaties along that part of the coast, and their powers were never doubted. It was not until last year that the question was raised as to the powers of the naval officers since the expiration of the Act of George IV. Proceedings were taken against Sir B. Walker, in the Supreme Court, and a decision was given on the points of law against the officers. Therefore, while it is not unnatural that no doubts having been raised no legislation should have been resorted to or required, during those many years, it is clear that doubts having now been raised, they must be removed by legislation. I showed on the former occasion that the Colonial Government had up to this time, that is until this Bill was introduced, declined to legislate, and that the responsibilities of this country remain in full force, and I showed also that the independence of the Colonial Legislature was guarded by the provisions of the 2nd section of the Act. I proceeded also on the former occasion to establish three other points. The first, and a very important one in our judgment, is this: I showed that Her Majesty's Government had from the very first endeavoured to the best of their power not only to ascertain, but to meet the wishes of the Colonial Government consistently with our observance of international obligations. After arbitration on the lobster question had been refused by the Colonial Government, ful discussions took place in this country between ourselves and the Premier and his colleagues, whom we had previously invited over to consult generally on matters connected with the fisheries, and especially with the object of determining whether it would be possible to submit to arbitration the French claims connected with the lobster fisheries, and to consult generally with them as to the terms of reference. Their views as to arbitration, which, I may say, required as a condition the undertaking on the part of the French to withdraw altogether from the coast, were reduced to writing after discussion, and submitted to the French Government, who declined to accept them. After those views had been so proposed to the French Government and refused, we received what I still must call the *ultimatum* of the Newfoundland Government of December 5, 1890. In this the Colonial Ministers declared that they would not assent to any arbitration which did not include withdrawal of the French from the coast; and, further, that they declined altogether to legislate with reference to the *modus vivendi* for the season of 1891. It was not until after that *ultimatum* had been received that we were reluctantly compelled to arrive at the conclusion that we must give up all hopes of assistance and co-operation on the part of the Newfoundland Government in arriving at a settlement, and that we must take the conduct of affairs into our own hands. It has been argued that that *ultimatum* was displaced by a subsequent statement of the views of the Colonial Government on March 9. If your Lordships will turn to page 33 of the last Paper that has been presented to Parliament [C. 6334], you will see the Despatch which is supposed to have displaced the *ultimatum*. I may say that the Colonial Government were informed on January 23 that Her Majesty's Government felt compelled to maintain the position they had taken up, and to commence negotiations with France for arbitration; and on March 7 they were informed that arbitration on the lobster fishery questions would shortly take place; then, on March 9, came the protest from the Colonial Government, in a telegram from the Governor to myself—

"My Government desire me, in reply to your Lordship's telegram of the 7th instant,"

—that is the one in which I asked him to inform his Government that arbitration on the lobster fishery question would take place—

"to reiterate the views already so often expressed by them to Her Majesty's Government that they can assent to no Reference of any one particular point arising under the Fisheries Clauses of the Treaties of Utrecht, Paris, and Versailles, while other questions involved in these clauses and the declarations appended to the Treaty of Versailles are withheld from the Reference. My Government contend that the only arbitration, if such a course be necessary, should be on the whole of the Fisheries Clauses and declarations, and this view has been repeatedly expressed by the delegates to Her Majesty's Government, and my Government cannot agree to have any legal representative before any such partial arbitration, and they protest against any such restricted reference. They beg to remind Her Majesty's Government that the colony cannot be bound by the decision of any arbitration to which it has not given its adhesion, and, moreover, they cannot comprehend why Her Majesty's Government should desire such an arbitration after the conclusive opinion expressed by the Marquess of Salisbury, and after Comte d'Aubigny's admission that the French had no right to lobster factories on the Treaty shore."

I admit that the delegates repeatedly expressed their view that if any arbitration was necessary it should not be confined to one point, though at the same time it was strongly urged upon me more than once that no arbitration was necessary. But on no occasion in my recollection, and that of others present at the interviews, did the delegates last year agree to even a general arbitration without coupling some proposal with it—that is to say, withdrawal of the French from the coasts or some reduction or limitation of the bounty system. I may, in confirmation of that view, refer to a Letter sent from the Colonial Office to the Foreign Office (it is to be found at page 20 of the last Paper presented) immediately after one of those interviews, of which I will venture to read an extract—

"At this interview Sir William Whiteway and Mr. Harvey explained that their wish was that the negotiations should proceed on the following basis—that the French should relinquish their rights on the Newfoundland coasts, and should confine their bounties to fish consumed in French territories or possessions, in exchange for the free purchase of bait from all parts of the coasts of Newfoundland, and for a territorial or money compensation in addition. Sir William Whiteway and Mr. Harvey further assured his Lordship that they would be prepared to agree on behalf of the colony to any arbitration upon the basis of the withdrawal of the French from the coasts of Newfoundland."

I merely cite that as a confirmation of my recollection of what passed during those interviews. Certainly the telegram which I have just read of the 9th March makes no offer to agree to any unconditional arbitration. That was the first point I endeavoured to establish. The second point was this—that in the circumstances of the case, and in the interests of peace and order, it had become necessary for Her Majesty's Government to endeavour to arrive at some settlement with the French; to get the extent of the French rights defined; and for that purpose to propose arbitration. As the lobster catching question, involving rights to erect lobster factories, was the most burning question of the day, most likely to lead to collision unless settled, and therefore most urgent, it was agreed by both Governments that the arbitration should in the first instance be confined to this lobster question. I ventured to point out to your Lordships, though it was hardly necessary to do so, the double advantage to be derived from this proceeding. First, there would be no danger of collision, the danger lying in the present uncertainty as to the extent of rights under the Treaties and the divergence of views held by the two Governments of those rights. I ventured also to point out as a second advantage, that the probability of arriving at, if not a permanent settlement, at all events some working arrangement satisfactory to all parties, would be largely increased when once the rights were defined. The third point I endeavoured to establish on the First Reading of the Bill was that, after Sir Baldwin Walker had reported to us in November, 1889, that it would be almost—

> "Impossible to prevent collisions occurring in 1890 without some special provision was made; that there was an increasing feeling of resentment against the French, and increasing risk of this feeling showing itself in acts of an aggressive nature,"

that after receiving such an intimation as that from Sir Baldwin Walker, Her Majesty's Government were bound to anticipate this serious danger by endeavouring to arrive at some *modus vivendi* for the season of 1890, while dealing with the larger question of arbitration. I further pointed out that the same reasons held good for the continuance of the *modus vivendi* for the season of 1891, and, indeed, that a most inflammatory notice which was published and circulated at many of the leading fishing stations had tended very materially to aggravate the position even as reported by Sir B. Walker. I showed also the reason why, with reference to this *modus vivendi*, legislation had become necessary, because of the doubts which had been raised in 1890 as to the powers of the naval officers and the decision of the Supreme Court against the existence of those powers, and because the Colonial Government had by that time, in what I have called their *ultimatum*, absolutely and distinctly refused to give effect to the *modus vivendi* for 1891. My Lords, I will now, having thus briefly pointed out some of the leading points which I endeavoured to bring under your Lordships' notice on the 19th March, proceed to address myself to what has happened since the First Reading of the Bill. The reports in the colonial papers which have come over here show that very considerable irritation sprang up in Newfoundland upon hearing that a Bill had been introduced into the Imperial Parliament; but I do not think we must assume that there is the same feeling throughout the colony. I have received telegrams, which I think are to be found in the papers, from Mr. Howley, a Roman Catholic priest, who has as great an acquaintance with the views of the fishermen and the population on the West Coast as any one, and he states that he, and those with whom he had communicated, were not opposed, as are the politicians in St. John's, Newfoundland, to the measures taken by Her Majesty's Government. I may also point out, as showing that there is a divergence of opinion in different parts of the colony, that the fishermen on the West Coast have taken it into their own hands to resist the working of the Bait Act, and have determined to carry and sell bait to the French. I am not to be assumed as in any way upholding the action of the fishermen. I do not defend their committing a breach of the law of the land, but

I merely refer in passing to their proceedings as showing that opinion is not all one way in the colony; and we have a right in dealing with this subject to consider not only the feeling at St. John's, but also the feeling, such as we can ascertain it, in other parts of the colony. The attack upon the Government has, I may say, proceeded on two lines. There has been, in the first place, an attack upon the Bill and against the terms of it, and also upon Her Majesty's Government for introducing it; and, in the second place, there has been an attack upon the general policy of Her Majesty's Government in agreeing to arbitration on the lobster question, and possibly upon subsidiary questions, and in renewing the *modus vivendi* for 1891. Now, as regards the Bill, I have little to add to what I have already said. It has been called coercive and arbitrary, and regarded as interfering with the independence of the Colonial Legislature. I think I have shown that those vituperative epithets are misplaced as regards this Bill; that the policy of the Government is not of a colonial, but an Imperial character, though of course affecting rights along the coast of Newfoundland, and that the independence of the Colonial Legislature is not only secured, but almost prayed for by the 2nd section of the Bill. Sir W. Whiteway, in the speech which he delivered at the Bar, said—

> "It is, indeed, provided that the Legislature of the colony may enact legislation to take the place of the present Bill; but this Bill is not to be suspended until the Local Legislature confers upon Her Majesty in Council the precise powers she would have under this Bill, and this provision is, therefore, but an illusory concession, meaning only that the burden of an Act of this Parliament can only be removed by enacting a similar Act in the Colonial Legislature."

That the Colonial Legislature should pass a similar Act in all respects is not required. There may be other means of attaining the end in view. If your Lordships turn to the 2nd section of this Bill you will find the words are, "until sufficient provision is made." Therefore, legislative provision may be made which is different to the Imperial Act, providing of course that it is sufficient to secure the desired object. For instance, some special Courts might be established by the Colonial Legislature, and if it is found possible to vest in such Courts or in the existing Courts powers which were supposed to be vested in the naval officers, that might be a provision which would be accepted. It is not required by the Bill that the terms of the Colonial Act should be identical with those of the Act of the Imperial Parliament; but, as I shall have occasion to point out, the question of the Courts would require some consideration. Then it is alleged that the colonists have been taken by surprise. Certainly the Colonial Government cannot be said to have been taken by surprise, because more than once in the discussions here last year I pointed out to Sir W. Whiteway and his colleague, Mr. Harvey, that if the colony would not legislate, Imperial legislation would be absolutely necessary. I am quite satisfied they will agree with me that that was brought under their notice more than once. Nor could our action, I think, be taken as a surprise to any colonist who had really studied the question, and who recognised the force of international obligations, and that we are bound to perform them on our part. After the doubts as to the powers of the naval officers had been raised, and after the Colonial Government had refused to legislate for the *modus vivendi*, it must have been realised by any one who had considered the question that Imperial legislation, sooner or later, would be resorted to. I must also remark in passing that expressions of surprise on the part of the colony had never been tempered with any statement of willingness to legislate until this Bill had been actually introduced. Her Majesty's Government knew that the Colonial Government would not legislate as to the *modus vivendi*—that they had absolutely refused to do. Neither had we had any hope held out to us that the Colonial Government would legislate in respect of the Treaties; and practically there was a refusal to legislate in respect of the arbitration, and to give effect to the decision of the arbitrators, as the colonists declined to be bound by it. That was shown distinctly by the telegram dated March 9, page 34 of the Blue Book, which I have already read to your Lordships, in which we are told that the colony cannot be bound by the decision of any arbitration to which it has not given its adhesion.

And there was a later reference in another telegram of March 24, page 39, in which the Governor informs me—

> "My Government deeply regret that they are compelled by the action of Her Majesty's Government to adopt the only course which seems open to them, viz., that of declining to take part in or to be bound by an agreement to which they are not parties."

I think, therefore, we were justified in assuming that the Colonial Government would not legislate in respect of this arbitration. I think that affords an answer to Sir W. Whiteway's point that Imperial legislation should not have been resorted to until the Colonial Legislature had declined to act. There can be no doubt of their having declined to act up to the time of the introduction of the Bill. As I have said, the Colonial Ministers were aware of the intention of Her Majesty's Government if it was necessary to resort to Imperial legislation, and yet they have persistently declined to introduce the measures which were necessary. And here I would refer in passing to the complaint which has been made, that information as to the Bill and the terms of the Bill was kept back from the colony. That was not the case, at all events as regards the terms of the Bill. It is true that by the 19th of January we had decided to introduce some measure, but the form of the Bill was not settled then, nor indeed were the terms decided upon until the First Reading on March 19, and the Governor of Newfoundland was simply informed of our intention of introducing some measure. That Despatch it is true was not communicated to the Colonial Government. Rightly or wrongly it was not thought desirable that the Despatch and enclosures containing a *résumé* of the position and views of Her Majesty's Government upon the whole question should be published in the colony while negotiations with the French Government were proceeding, but, as I have already pointed out, the colonists were not deprived by that delay of due notice of the terms of the Bill—for the best of all possible reasons, that those terms had not been decided upon, nor indeed were they finally settled until the Bill was introduced. Therefore, as to the terms of the proposed Bill not having been mentioned, the objection raised by Sir W. Whiteway loses its force. I will frankly add that I am not disposed to agree with Sir W. Whiteway when he said that—

> "If this Bill had before its introduction been submitted to the Government and Legislature of the colony, with an intimation of the British Government's intention to procure its enactment, such arrangements might have been made as would have prevented the present unpleasant conditions of affairs."

The introduction of the Bill at an early date was necessary because of the approach of the fishing season, and I do not think, upon full consideration, it would have been proper, even if the terms of the Bill had been settled some time before its introduction, that they should have been sent out and published in the colony, and perhaps, even discussed in the Colonial Assembly, before the Bill had been introduced in your Lordships' House and laid before the Imperial Parliament. So far, my Lords, for the attack upon the Bill. I shall, however, have occasion to refer to some of the objections which have been made by the delegates to it and answer them. Then, as to the attack on the general policy of Her Majesty's Government, I must observe that even if we were as wrong as I believe we were right in referring the lobster question to arbitration and in continuing the *modus vivendi* for the season of 1891; still, it would have been necessary for us to introduce the Bill because of the doubts that had been raised with reference to the action of the naval officers, and upon the broad ground that in the absence of colonial legislation we are bound to take power to this country to secure the observance of the Treaties. The decision of the Supreme Court negatives the power of the naval officers not only with reference to the *modus vivendi*, but with reference to their powers along the coast altogether, including their powers to secure the observance of the Treaties. This Bill is, then, in any case, necessary, whether our policy has been wise or unwise, unless we are prepared to ignore or deny our international obligations, or unless the colony will legislate. It is argued that the Colonial Government always opposed arbitration limited to the lobster question, but were ready to assent to a general arbitration upon all questions arising under the Treaties. To this I reply, in the first place, that it is true that they objected to the limited arbitration upon the lobster question, but, as I pointed out to your Lordships on a former occasion, their objections were based on untenable grounds. They contended that our right to catch lobsters and to erect factories was so clear, and that the French claims were so clearly wrong, that there was nothing to refer to arbitration, and that our rights must be enforced. I confess I was astonished to find that this view was upheld by a gentleman who so long and so ably represented the Foreign Office in the House of Commons; for what must be the result if effect be given to that view? If the French maintained their claims collision and war must result from our enforcing our rights and resisting their claims by arms; and it is certain that the country would not support any Government in going to war upon such a question unless that Government had first exhausted all possible means of obtaining a peaceful settlement. As to the readiness of the Colonial Government to assent to a general arbitration, I think I have already shown beyond doubt that no unconditional offer has ever been made—that every offer to agree to a general arbitration has always been coupled with some proposal which the French would not accept. I may add that we have no reason to suppose at the present moment that the French Government would assent to a larger arbitration than that agreed to. Then, my Lords, the objection has been urged in the speech at the Bar that the policy of Her Majesty's Government violates the principle laid down by Mr. Labouchere in his Despatch of March 26, 1857. Now, assuming for the sake of argument that all successive Governments are bound for ever by the assurances given by Mr. Labouchere, however much the condition of affairs may vary from that which existed when those assurances were given, or however great an emergency may arise, yet I confidently submit that Her Majesty's Government did not offend against the principle so laid down, either in agreeing to a *modus vivendi* or in agreeing to arbitration. As to the *modus vivendi*, I cannot do better than read the answer given in my Despatch to the Governor of June 24, 1890—it is on page 7 of the Parliamentary Paper [C. 6256]—

> "This act on the part of Her Majesty's Government does not appear to them to have involved any departure from the principles laid down in the Despatch from the Secretary of State of the 26th of March, 1857, referred to by the Petitioners, of which the following is the actual wording—namely, that 'the rights enjoyed by the community in Newfoundland are not to be ceded or exchanged without their consent, and that the constitutional mode of submitting measures for that consent is by laying them before the Colonial Legislature; and that the consent of the community of Newfoundland is regarded by Her Majesty's Government as the essential preliminary to any modification of their territorial and maritime rights.' The *modus vivendi* does not cede or exchange any right enjoyed by the inhabitants of Newfoundland. Neither does it involve any modification of their territorial or maritime rights. Any right which British subjects have to erect lobster factories. . . although its exercise may be temporarily suspended, is not surrendered or prejudiced by the *modus vivendi*."

That appears to me, with deference, to be a complete answer to any charge that the *modus vivendi* was an infringement of the assurances given by Mr. Labouchere. As to the arbitration on the lobster question, it must be admitted, I think, that when a question of rights is in dispute it is not in any way a cession of those rights to endeavour to have the extent of the rights clearly defined. If without going to arbitration we had yielded all or any of the indefinite claims set up by the French, or if after the rights were defined we conceded any of those defined rights without the consent of the Colonial Government, I admit that we should be open to the charge of not having adhered to the principle laid down, or the assurances given, by Mr. Labouchere; but to endeavour to put an end to grave and complicated questions by obtaining an authoritative decision as to the extent of these rights surely cannot be held in any way to be an infringement of those assurances. And while I am upon this point, I should desire, with your Lordships' indulgence, to deal—and it will be convenient that I should do so now—with one of the further objections raised by Sir W. Whiteway against the Bill, namely, that this Bill is in direct opposition to Mr. Labouchere's assurances, because it empowers the Imperial Government to make permanent arrangements involving a cession of rights. There has been, I think, some misapprehension on this point. There is no departure whatever in this Bill in that respect. The Bill gives no addi tional powers to the Government which they do not now possess, to make permanent arrangements. If the Government for the time being were to decide to act without regard to the assurances given by Mr. Labouchere, that is to say if they decided to act without the consent of the colony or against its wishes, they could do so now, subject, of course, to their action being impugned, and to the possibility of their being defeated in Parliament. It is not very probable that a Government, except under some very grave pressure, would desire so to act in the face of those assurances which have remained in force so long. But at the present moment all I wish to point out is, that the Imperial Government could now, under their treaty-making powers, make such a permanent arrangement, and that there is no further or special power given to them by this Bill. Nor, I would venture to point out, does the Bill take away any power of protest or appeal against such arrangements. That is one of the objections raised by Sir W. Whiteway. There is not at the present moment any absolute power of rejection secured to the colony, indeed, such an absolute power of rejection would amount to something very like entire independence. But the effective means of protest, which the history of the colony shows have been very effectively exercised on several occasions, are not touched by this Bill. The colonists can still appeal in Parliament against any permanent arrangement, or any Order in Council, and take exactly the same steps that they could take before this Bill was brought into your Lordships' House. I think that before dealing with the proposals of the delegates, which were submitted by Sir William Whiteway at the Bar of the House, I have only one other observation to make with reference to that part of his speech which is contained under the second and third, but mainly under the fourth head of objections. I desire to protest most strongly against the attack made against the naval officers in those objections. For years past Her Majesty's officers have been charged with the duty of seeing that the Treaty rights are not infringed by either the French or the British fishermen, and that the rights of both countries are impartially secured. The statement made here at the Bar practically charges the naval officers with ignoring British rights, and only enforcing the rights which the French claim. Nothing can be more unjust than these attacks upon officers who have for years past been performing very difficult duties—duties which have become more difficult every year—with great tact, forbearance, and judgment. It may well be that in some cases officers, during those years, may have exceeded their instructions, but I can safely assert that in many of the cases where complaints have been made and have been examined into, the charges have been proved to be either ill-founded or grossly exaggerated. If these charges are to be continued against Her Majesty's officers, it is only just and fair to them that the charges should be brought to the notice of the Government and the Admiralty without delay, after the acts of which complaint is made have been done, and that dates and full particulars should be given so that the facts may be, as they certainly would be, fully tested. With reference to the concluding paragraph of Sir W. Whiteway's speech under the fourth head of objection, I would observe that this Bill again does not interfere in the slightest degree with the jurisdiction, or any part of the work, of the Colonial Courts. That paragraph states—

> "We therefore most earnestly urge that Her Majesty's ordinary Courts of Justice in Newfoundland are the tribunals which should adjudicate upon questions arising between British and French fishermen. From any judgments in such Courts a final appeal would lie to Her Majesty and the Privy Council. In no case should naval officers be permitted to try causes arising as aforesaid, since Courts of Justice already exist in the colony for the purpose; and if it be deemed impossible for the ordinary Courts to enforce the law in such a manner as to adequately assure justice to the French, then we ask that special Courts should as they could, of course, be established."

The jurisdiction of the Colonial Courts is not in the least interfered with by the Bill; and I apprehend, speaking subject to the correction of noble and learned Lords present, that the view stated by Sir W. Whiteway in the first part of the passage that I have read,

> "That Her Majesty's ordinary Courts of justice in Newfoundland are the tribunals which should adjudicate upon questions arising between British and French fishermen"

is correct. I apprehend that the Courts can do so now, and that if the question as to the construction of a Treaty were to arise before the Court in the course of such proceeding it would be decided in the ordinary way by the Court subject to appeal to the Privy Council. That decision no doubt would bind persons residing in the colony and within the colonial jurisdiction, and if a foreign Power, affected by that decision, were to dissent from it I presume that the mode of proceeding would be by diplomatic representations, and that the foreign Power would communicate with the Government of this country and protest against the construction put upon the Treaty by the Court. I therefore am not prepared in any way to dissent from what is stated by Sir W. Whiteway in that paragraph. As to the possibility or practicability of erecting special Courts, by which I suppose is meant Courts with French, Colonial, and English Judges, whose decisions are by agreement to be binding upon all the Governments, I am not prepared at present to offer an opinion, but as far as the statement in the speech goes, I see no reason to dissent from it. I am afraid I have taken up a great deal of time this evening, but I think it only fair to Her Majesty's Government to state the case fully and to state the reasons why we introduced this Bill, and why we have assented to arbitration. Now, I will turn to the proposals which were brought forward by Sir W. Whiteway on behalf of the colony. Though those proposals, it is true, have not yet been accepted, Her Majesty's Government have considered them with an earnest desire to find a friendly solution. It is not quite clear whether the first and second proposals are to be taken as a whole, or whether they may be dealt with independently; nor, again, is it quite clear whether the sub-heads of each proposal are to be taken as a whole, or again dealt with independently of each other. The first sub-head of the first proposal is—

> "First—(*a*) the Newfoundland Legislature to pass immediately an Act authorising the execution for this year of the *modus vivendi*, the award of the Arbitration Commission regarding the lobster question, and the Treaties and declarations under instructions from Her Majesty in Council."

The second sub-head is this—

> "(*b*) The further progress of the Bill now before Parliament to be deferred until the passing of the above Act, and the Bill then to be withdrawn."

Assuming, as I do, that the proposals may be taken independently, I may state on behalf of Her Majesty's Government that, looking to the very close approach of the fishing season, and to the terms of the engagements which we have made with France, we think it necessary that the Bill should pass through this House, with such amendments and alterations as may be made in Committee; but we are willing to agree that the Second Reading shall not be taken in the House of Commons until after the Whitsuntide Holidays are over. That would bring us, I believe, to about the 21st May. If by that time the Colonial Legislature has passed an Act which, in the opinion of Her Majesty's Government, sufficiently secures the observance and execution—first, of the *modus vivendi* for 1891; secondly, of the decision of the arbitrators upon the lobster questions; and, thirdly, of the Treaties and declarations, Her Majesty's Government will not go forward with this Bill. If such an Act, however, has not by that time been passed by the Colonial Legislature, it will become necessary to press this Bill rapidly forward for the reason I have already stated—namely, the close approach of the fishing season. I think, my Lords, it will be seen that this practically amounts to an acceptance of the substance of the first sub-heads of the first proposal made by the delegates, and I hope that our proposals will be accepted as satisfactory. We are also willing to consider the third sub-head of the first proposal, which runs as follows:—

> "(*c*) The terms of an Act to empower Courts and provide for regulations to enforce the Treaties and declarations to be discussed and arranged with the delegates now in this city as rapidly as possible, and to be enacted by the Legislature of the colony as soon as agreed upon."

We are quite ready to consider with the delegates the terms of a Bill such as is referred to in that sub-head (*c*), but it must be manifest to your Lordships that there are difficulties of an international character which would require full discussion and careful handling; and it should be understood, therefore, that the passing of the Colonial Act should not be delayed until the terms of the proposed Bill are settled. The second proposal of the delegates is as follows. This is the first sub-head—

> "Secondly—(*a*) the present arbitration agreement not to be allowed to operate further than the lobster question without the prior consent of the colony, and in this case the colony to be represented upon the Commission."

And the second sub-head is—

> "(*b*) The colony desires an agreement for an unconditional arbitration on all points that either party can raise under the Treaties and declarations; and, if this be arranged between Great Britain and France, Newfoundland will ask to be represented upon such arbitration, and will pass an Act to carry out the award,"

With regard to this second proposal, Her Majesty's Government require further time for consideration. We do not feel any difficulty as to the colony being represented on the Commission, and, as will be seen by the Papers which have been presented to Parliament, we have requested the Colonial Government to name a delegate to act upon the present arbitration as to the lobster questions, a request which, I regret, has not been accepted. We are not, however, prepared to assent to the first sub-head, that is to say that—

> "The present arbitration agreement is not to be allowed to operate further than the lobster question without the prior consent of the colony,"

although the colonists may rest assured further that we should not agree to refer subsidiary points to the arbitrators until after full consultation with the colony, and after clearly ascertaining the views of the Colonial Government and Legislature. It is clear also, as regards the second sub-head, namely, that "the colony desires an agreement for an unconditional arbitration," that we cannot compel the French Government to agree to an unconditional arbitration of the kind referred to, nor as I said before, so far as I am aware, is there at present any probability of their assenting to any such unconditional and general arbitration. Every consideration will be paid to the wishes of the colony, but if this general arbitration is to be made a *sine quâ non* to the acceptance of the first proposal, Her Majesty's Government, as at present advised, have no alternative but to carry through this Bill. In conclusion, I would say that Her Majesty's Government earnestly trust that this may not be necessary, and they confidently believe that, after what has been said this evening, credit will be given to them for endeavouring as far as they can, consistently with our international obligations, to meet the wishes of the Colonial Government and Legislature. I thank your Lordships for having so patiently listened to me, and I now beg to move the Second Reading of the Bill.

Moved, "That the Bill be now read 2ª."—(*The Lord Knutsford.*)

*THE EARL OF KIMBERLEY: My Lords, it seems to me that three questions are raised for consideration, and it will be convenient to take them separately. The first is whether any legislation at all is necessary; the second is whether this Bill is proper legislation on the question; and the third is, the consideration of the proposals of the colonial delegates to which the noble Lord has referred. Now, as to the necessity for legislation, I adhere entirely to what I said on the occasion of the introduction of the Bill by the noble Lord, that it seems to me he made out a distinct case for legislation of some kind, and if that legislation is refused by the colony, then I think that the legislation must be passed by the Imperial Parliament. There are two obvious reasons why it is impossible to avoid such legislation; first and principally, as the noble Lord has pointed out, because it has been discovered that, in fact, there exists at the present time no lawful mode of enforcing our Treaty obligations in Newfoundland, and it is quite obvious that the accident that an Act which gave the necessary power was allowed to lapse so that we find ourselves unable to enforce those Treaty obligations at the present time by any legal means, cannot in any way relieve us from our duty to the other party to the Treaty, and that we are absolutely called upon by good faith and in the interests of this country, and of the Empire generally, to see that there is lodged in the hands of Government — I mean either the Colonial Government or the Government of this country—power to enforce our Treaty engagements, be they what they may. Then there is a further question which has also rendered some legislation necessary, namely, the enforcement of what is termed the *modus vivendi*. The *modus vivendi*, as has been explained to the House, is a means of dealing temporarily with the question of the lobster fishery, and it is quite obvious that during the negotiations with France it is plainly necessary that there should be what I may call a truce between the parties until the respective rights are ascertained. That is the object of the *modus vivendi* , and that does not in any way infringe upon the assurances given by Mr. Labouchere to the colony, because this *modus vivendi* is not for the purpose, as I understand it, of making a new Treaty engagement, but is for the purpose of ascertaining what is the specific meaning of the Treaty engagements now subsisting. Therefore, as regards the *modus vivendi* it is quite clear there must be legislation of some kind, and as regards our general engagements and Treaty obligations there must be some legislation. I need say no more upon that point, because the noble Lord has elaborated it rather fully. I now come to the more important question, namely, as to this Bill itself, and the mode in which it has been introduced. I am quite certain that Her Majesty's Government and every one in this House will agree that when it is necessary to introduce legislation of this kind all possible means should be exhausted in order to do so in a manner which will be least likely to offend the susceptibilities of the colonists with whom we have to deal, and I am very glad that to a considerable extent, I must agree, that course has been pursued by Her Majesty's Government. They saw the delegates last year, and communicated and negotiated with them at great length; they also negotiated repeatedly with the Colonial Government, and asked them whether they would be prepared to enforce the *modus vivendi ;* but the Colonial Government, I think it was on December the 9th, undoubtedly refused to legislate for the purpose. So far, my Lords, I have no fault to find with Her Majesty's Government, but upon one point their proceedings were somewhat unfortunate, and I do not think the noble Lord upon that point quite successfully defended himself—I mean as to their not communicating to the Newfoundland Government, and through the Newfoundland Government to the Newfoundland Legislature, the intention of Her Majesty's Government—if there were not any legislation passed by the Colonial Legislature to legislate by the Imperial Parliament. Such a step as that, being of the most grave nature, and being one which directly dealt with the privileges and the *status* of the colony as regards this matter should, whatever might be the expectation as to the answer the colony would give, have been at the earliest possible period communicated to the Newfoundland Government, and through them to the Newfoundland Legislature. I am rather surprised that Her Majesty's Government had not made up their minds somewhat sooner, seeing how long this matter had been under consideration; but when they did make up their minds not a moment should have been lost in communicating with the Newfoundland Government; and if your Lordships will refer to the latest Papers which have been presented to Parliament you will see it is very singular that several communications were made to the Newfoundland Government with reference to this particular arbitration, and yet not a word was said in them until a late period as to any legislation. On the 23rd January, 1891, a telegram was sent by the noble Lord to the Government of Newfoundland, in which he informed them—

> " Her Majesty's Government feel compelled to maintain the position they have taken up, both as regards commencing negotiations with France for arbitration, and as to deferring the ratification of the draft convention with the United States."

Possibly at the time Her Majesty's Government had not made up their mind as to the legislation here. But let us look on a little later. The Government of Newfoundland on the 9th March repeated—

> "That they can assent to no reference of any one particular point arising under the Fisheries Clauses of the Treaties of Utrecht, Paris, and Versailles."

And then they also said they—

> " Cannot agree to have any legal representative before any such partial arbitration, and they protest against any such restricted reference."

That was on the 9th of March. In answer to that the noble Lord the Secretary of State for the Colonies telegraphed on the 12th of March to Newfoundland—

"Agreement for arbitration signed yesterday. Further full information will be sent as soon as possible."

I cannot understand why at the same time the Newfoundland Government was not informed that in order to carry into effect that arbitration it was necessary to introduce a Bill into Parliament; because your Lordships will observe that it is actually contemplated by the Agreement or arbitration itself. In the Notes which were exchanged between the noble Marquess opposite and the French Ambassador it is stated that the French Government on the one hand reserve the consent of their Legislature, and that the Government of this country reserve the assent of Parliament. Therefore, it is quite clear that at that time, when the Arbitration Agreement was signed Her Majesty's Government contemplated that they would have to apply to Parliament for powers. I cannot understand therefore, why they did not immediately inform the Legislature of Newfoundland of the fact. I find further on, which is even more remarkable, that on the 16th of March, when an elaborate telegram is sent to the Newfoundland Government giving the full text of the Agreement for arbitration, signed on the 11th of March, not a word is said as to the intention of the Government to introduce a Bill for carrying into effect and enforcing the Treaties. I think it was unfortunate, the colony being extremely sensitive (and it is not to be wondered at that they should be extremely sensitive on a point of this kind), that this should have been overlooked, and that the colony was not informed at the earliest possible moment, and in the fullest possible manner that the circumstances admitted, that the Bill would be introduced. The noble Lord opposite has said that Her Majesty's Government had not agreed upon the actual terms of the Bill, but they might have informed the Newfoundland Government that a Bill would be introduced, and that its terms would be communicated to them as soon as possible. I cannot say that I attach much importance to the objections of the noble Lord that it would have been wrong that the provisions of that Bill should have been submitted to the Newfoundland Government, and discussed in the colony before it had come before Parliament; on the contrary, that is the very thing which they ought to have been told, because it might very well have happened that in discussing the matter a way out of the difficulty would have been suggested, but by the course which has been followed the Government here have laid themselves open to this assertion of the delegates that if this Bill had, before its introduction in Parliament, been submitted to the Government and Legislature of the Colony, with an intimation of their intention to secure its enactment by Parliament, such results might have been arrived at as would have prevented the present unpleasant condition of affairs. No one can tell now, of course, whether that would have been the case or not, but no one can say that it might not have been so, and, considering the proposals which the delegates have now made, I think that it is by no means impossible that that result might have been arrived at; and, if that result had been arrived at, then all this friction with the colony, and this very disagreeable necessity of applying to Parliament might have been avoided. So much for the mode in which the Bill has been introduced. I come now to the Bill itself, and here I must say there are, I think, various parts of the clauses of this Bill to which very serious objection may be taken. As regards the first part of it, I take no exception. I take no exception to the first clause, which says that—

"The enactments set out in the Schedule to this Act shall be revised and have full effect, and the Treaty or Treaties therein named shall include not only the Newfoundland fishery engagements, but also any temporary arrangement made in France either before or after the passing of this Act."

An objection may perhaps be taken to it as retroactive with regard to its application before the passing of the Act. I think there is some question upon that, but as regards the *modus vivendi* which would be rendered operative by this 1st clause, and as regards the Treaties generally, I have no objection to make. That does not apply to the particular enactments which are revived, but to the principle of legislating to enforce the *modus vivendi* and the Treaties. But when I came to the 2nd sub-section of the 1st clause of the Bill I was extremely astonished when I read it. I must ask your Lordships to allow me to read the words of that sub-section, because it is very important to see exactly what it is the words carry with them—

> "If any permanent arrangement is made between the United Kingdom and France with respect to the differences which have arisen upon the Newfoundland fishery engagements, it shall be lawful for Her Majesty by Order in Council to direct that the enactments hereby revived shall apply, and the same shall apply accordingly, as if such permanent arrangement were a Treaty mentioned in the said enactments."

Now, it appears to me this gives by anticipation power to the Crown to enforce any Treaty which the Crown may make for modifying the Treaties now subsisting between us and France with regard to the Newfoundland Fisheries without any further application to Parliament—a power to enforce any new Treaty that may be made. With regard to that there seem to me to be two vital objections—the first, a very special objection, that it goes directly in the teeth of the engagement made by Mr. Labouchere with the Colonial Government, because the engagement which was made by Mr. Labouchere with the colony was that the consent of the community of Newfoundland is regarded by Her Majesty's Government as the essential preliminary to any modification of their territorial or maritime right. Now, the original proposal laid before this House by the noble Lord the Secretary of State for the Colonies, as I understood it, was no violation of the assurance given by Mr. Labouchere, for the simple reason that the arbitration was not for the purpose of making a new Treaty, but only to ascertain what the meaning of the existing Treaty is. I find that the noble Marquess, in reply to the observations I made to the House, laid this down with great distinctness. He said—

> "All we desire to do is not to modify or alter the *status* of the colony in any degree, but really to ascertain what that *status* is before a tribunal of International Law."

Nothing can be clearer than that statement. But this clause enables the Government to make any new permanent arrangements they please, and that, as I have said, would be in the teeth of the assurances given to the Newfoundland Government by Mr. Labouchere. But I go further and say that it seems to set aside Parliament in a manner most unusual, and which seems

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to me entirely unprecedented, because, as I understand the course that has always been taken in this country with regard to the Treaties with foreign States—the universal practice has been this: The Crown has complete power to conclude Treaties with any foreign States, and if the provisions of those Treaties can be enforced in this country without further legislation nothing further need be done. The consent of Parliament is not necessary to the Treaties, but if there be anything in the Treaties which cannot be enforced in this country under the existing law of the country, then it is necessary to go to Parliament and to obtain the consent of Parliament to the passing of that legislation, and unless Parliament consents, the Treaty falls to the ground. There are numerous instances in which this has occurred, but if this Bill were to pass, Her Majesty's Government would have the power to conclude a new Treaty with France as to the fisheries of Newfoundland, entirely altering the maritime and territorial rights of the colony, and inasmuch as such a permanent arrangement would apply as if it were a Treaty mentioned in the enactments set out in the Schedule to the Bill, full power would exist to enforce any such new Treaty without any further application to Parliament. It seems to me, therefore, that this is a clause which ought never to have been included in this Bill, and to which I sincerely trust Parliament will not be induced to agree. It is really not necessary for the Bill, because, if it should come to pass that Her Majesty's Government were able to conclude a satisfactory Treaty with France on this matter, the whole course would be simple enough, the consent of Parliament would readily be obtained and the Treaty would then come into force. Again, I have a further criticism to make upon Sub-section 3. Possibly that might establish a precedent of the advisability of which I am not at all sure. There is a provision in Sub-section 3 of Clause 1—

> "Provided that before such Order is made the draft thereof shall have been communicated to the Government of Newfoundland, and lain on the Table of both Houses of the Imperial Parliament for not less than one month."

That also is open to considerable objection, and for this reason, that if I am right in my contention that a new permanent arrangement can be made under Sub-section 2, then it would seem that instead of the assent of Parliament being asked for in the regular way, and the whole matter being submitted to Parliament, an Order in Council for this purpose is to be laid on the Table of both Houses of Parliament for a month, and that Parliament does not address the Queen against the Order, then I conclude the intention is that it shall take effect. It is not stated here that the Order shall fall to the ground if Parliament does address the Crown in either House within that time; but, practically, I suppose, that would put an end to the Order. Otherwise the assent of Parliament is obtained. Surely that is not the way in which we have dealt or ought to deal with important Treaties of this kind. It has not been the custom that instead of the Crown having to come to Parliament for the necessary power to carry Treaties into effect, draft Orders for that purpose should be merely on the Table of both Houses of Parliament, just as some Order in regard to education. I do not think that is the proper way in which so solemn an instrument as a Treaty should be dealt with. Then with regard to the Newfoundland Legislature, I do not see that there is any provision at all, unless it is to be supposed that if the Newfoundland Legislature should address the Crown that would stop the Order. I do not think that is intended, and it seems to me, therefore, to be without any safeguard as regards the Newfoundland Legislature. Those are the criticisms which I wish to make on the principal clauses of the Bill, but I desire to say something further, and I come now to one of the objections which have been made by the colonial delegates, and to which the noble Lord referred. I mean with regard to the jurisdiction exercised by the naval officers. I think the noble Lord was a little too severe on the delegates in saying that they had spoken disparagingly—I do not remember his exact phrase, but in a manner in regard to the naval officers which those naval officers did not deserve. I am quite sure that no body of men can have deserved better of this country or the colony than our naval officers. The discretion they have exercised in administering these difficult questions under the Treaties has been great, and they have done their duty in a manner deserving all praise; but I do not understand the meaning of the objections of the delegates to be what the noble Lord appears to have understood them to mean? They do not object, as I understand, on the ground that the naval officers have exercised their powers in any way that is blameable, but they protest against the nature of the jurisdiction of the naval officers. What they say is that naval officers act arbitrarily, which no doubt they do; that naval officers are not learned in the law, which no doubt they are not; and that the interests of the colony ought to be dealt with in regular Courts, and not by naval officers. And the noble Lord quite admitted that view. He said, and I was glad to hear him say so, it would be better that such matters as could be referred to the Courts should be referred to them. If I might throw out an opinion of my own on the matter, I should think that probably we might find that the proper solution would be that the naval officers should continue to enforce the Treaties as far as the territorial waters are concerned. I say this, not wishing at all to intrude into that very difficult department of law as to the precise jurisdiction exercised over territorial waters; but I do not think the Newfoundland Government could exercise that necessary control which must be exercised in the waters of the colony. The great length of its shore, the necessity for prompt action in these territorial waters, and the fact that the Newfoundland Government could not afford to keep the number of cruisers which would be necessary for enforcing the Act, and the possible fact that there might be a less friendly feeling between the commanders and crews of such cruisers and the French, than between the French and the commanders and crews of Her Majesty's vessels, are all reasons why the jurisdiction as regards the waters of the colony ought, I think, to be exercised under instructions from Her Majesty's Government by our naval officers. But I draw a great distinction as regards the jurisdiction on land. I cannot conceive that any one would say it is a proper mode of exercising jurisdiction on land that it should be exercised by naval officers under instructions from the Government. The state of things in former times was, as the delegates put it, very different from their present state. Here is a coast 700 miles in length, used only for fishing purposes, and practically uninhabited, except during the fishing season. Under those circumstances, I quite understand that it was not found practicable to refer these matters to the Courts, and the only way in which it could be done was to refer them to the naval officers. But the state of things has altogether changed. This shore is now settled. There are markets there apart from the fisheries; there are minerals discovered, trade growing up, and altogether the circumstances are entirely changed from the condition of things when the Act of George IV. was passed. I should regard it as a great misfortune if we had now to enforce these Treaties in such a manner as are indicated by the Act of George IV. It seems to me to be of importance that the Treaty rights, be they what they may on land, should be enforced through the Courts. The noble Lord described most accurately what the course would be. He pointed out that an application would be made to the Court in the first instance, and that appeals would lie to the Privy Council if there were dissatisfaction with the decisions, and that, of course, the French Government would retain on its part all the power of remonstrating against the result if it had reason to think the Treaty had not been duly carried into effect. The International rights would be entirely untouched. I should a little doubt whether by special Courts the delegates mean Courts in which the French would take part. I should think not, but rather special Imperial Courts which would act independently of the ordinary Courts of the Colony. I am strongly of opinion —and I would press this upon your Lordships — that we should on this occasion establish some Court of competent jurisdiction which would deal with all these matters on land, and I am confident that would go a very long way towards removing the disagreeable feeling among the colonists of Newfoundland with regard to the enforcement of the Treaties upon their coast.

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The other points which the delegates alluded to it is not necessary that I should go into at any length. I will only touch briefly upon one or two of them. With regard to including the whole of these questions in one negotiation, I agree with the noble Lord that I do not think Her Majesty's Government could bind themselves absolutely that they would not negotiate on this subject in such manner as they might think advisable, and that they would not submit a particular question if it was found necessary to do so. The Crown having in its charge the foreign relations of the Empire, and being responsible for the execution of the Treaties must of course, in the last resort, exercise its discretion as to what may be the best mode of negotiating with a Foreign Power. Having said that, I think I am only expressing the view held by the noble Marquess himself, opposite, when I say that it would be far better if all these questions were submitted, and I say so for this reason that in the correspondence which has been presented to Parliament, the noble Marquess himself formulated a series of questions for submission to the arbitrators. The French Government declined to submit to more than one question, and I am not disposed to impugn the action of Her Majesty's Government when they found the French Government would not submit all these questions to arbitration, in agreeing to confine the arbitration at present to the question of lobster fisheries. At the same time, I sympathise with the colonists in their strong desire that the whole matter should be referred to arbitration. That is in the interest of all concerned. It is a matter of great and deep interest to this country that the whole matter should be determined, and when I say that the whole matter should be submitted to arbitration, I mean always the interpretation of the Treaty in the sense in which this Convention has been concluded. Indeed, it seems to me almost impossible to contend that if there is a difference of opinion with regard to the meaning of the Treaty this difference of opinion should be settled by arbitration on one point only, and not upon all. In principle, if it is right to go to arbitration upon one of the points, it must be equally right to go to arbitration upon all, and I still hope that under the Convention it will be found that the French Government, when the lobster question is decided, may agree that the rest of the questions may be submitted. But there seems to me to be a danger which I hope will be guarded against by Her Majesty's Government. I do not think it would be fair to the colony or to ourselves that this Convention should be hung up for an indefinite time. Every one will see that there are strong reasons why the questions at issue should be dealt with within a reasonable time. The object of all parties is to prevent collision, and to allay irritation. Nothing tends so much to increase irritation as to have something of this kind hanging over peoples heads which may be dealt with some day, but they do not know when. It is important, therefore, I think, that it should be dealt with as soon as possible. Then the colonists have one other point of objection—that is, as to St. Pierre and Miquelon. As to that I observe the noble Lord the Secretary of State for the Colonies, in a Letter which is printed in the correspondence, himself stated that he felt the force of the argument of the colony with reference to St. Pierre and Miquelon. The question as to St. Pierre and Miquelon are a very difficult and delicate part of the whole subject; but I must say that I agree with the noble Lord that the using St. Pierre and Miquelon to smuggle goods into the colony does seem to me to go considerably beyond anything which could have been anticipated in the Declaration by George III. Therefore, I do not think the contention of the colony unreasonable, that this is a question which might at the proper time be brought forward. My Lords, I have nothing more to say except as to the important question of the proposals of the delegates. I am extremely glad to hear from the noble Lord that Her Majesty's Government are prepared, under certain conditions, to accept those proposals. I confess, however, that I am sorry they appear to have made up their minds to press the Bill through this House. Unless the necessity is of so urgent a character that it is absolutely unavoidable on account of time—and I cannot conceive that to be the case—that the Bill should be pressed forward so urgently, it appears to me in the interest of our relations with the colony that it is extremely desirable we should fall in so far with the wishes of the delegates as not to proceed with the Bill until they have had a reasonable time within which to pass the necessary Acts. I am told they will pass them with great rapidity. I do not appear here, as your Lordships will have seen, as the representative of the colonists' view. By no means. I feel strongly for the colonists, but I am bound to say that from the very peremptory manner in which they have rejected one proposal after another, and on account of the very strong language which they have thought necessary to use towards Her Majesty's Government, it may almost be said that there has been a certain amount of provocation. But I do not think anything in regard to provocation ought to enter into our minds on this occasion at all. The question we have to deal with is not as to the past, but the present; and if, after all that has passed, the colony holds out the olive branch to us, and if we can see means by which we can smooth down angry feelings, is it not to the interest of both parties to take any means by which that object can be attained? Your Lordships will see this is a question which, although this colony is a small one, may have a very far-reaching effect. There are other colonies besides Newfoundland, and the relations between ourselves and the Colony of Newfoundland are being closely watched by all of them. If we do anything which may appear to indicate that we have put a pressure upon this colony over and above the absolute peremptory necessities of the case, I am afraid it may arouse an unpleasant feeling not in Newfoundland alone. We all feel that if the colonists in Newfoundland have been provoked, there is great excuse for them. I can hardly conceive a more unfavourable position than their colony is in with reference to this Treaty. Then there is this further consideration: that it is only to the interest of Newfoundland, but not of the whole Empire, that the carrying into effect this Treaty, by which we are bound to France, should be as far as possible smoothed and unaccompanied by disagreeable incidents to the colonists, for it is impossible for us to conceal from ourselves that we—and this affects us all throughout the Empire—run the risk during the fishing season of some collision or other which we should all deplore. If the colonists are in a friendly state of mind, it is clear the execution of the Treaty may be facilitated. For all these reasons it seems to me to the interest of Her Majesty's Government, and of all parties, that anything which can be done to smooth down these angry feelings should be done under present circumstances. With regard to these proposals, I do not speak, of course, with any authority in reference to them, but only my own opinion as to what seems to me to be their effect. As I understand them—I hope rightly, and I think as the noble Lord is disposed to understand them also—they are these: The first proposal is that they will immediately authorise the execution for this year of the *modus vivendi* of the Award, the Treaties, and Declarations. I understand that really, in one sense, to stand alone; they promise to do this at once, without any conditions, and that we are not to wait until we have agreed to arrangements as to the Courts. Under Subsection A they have expressed an assurance that they will proceed at once to pass legislation, and their passing legislation under Sub-section A is not to be delayed until you have agreed upon Sub-section C. It would take some time to see what these Courts should be, and, therefore, Subsection A must not be delayed, but must be acted upon at once. It is obviously so, because we have no powers at present to enforce the Treaties, and those powers we must have at once. My Lords, I have very little further to say. I have spoken as to the prior consent of the colony to arbitration upon one particular point being not indispensable, though it is most desirable to agree with them if possible. As regards the arbitration being on all the disputed questions, that is a condition which we have no power to enforce; but as we and the colony are both agreed that it is desirable, that cannot be one of the conditions which the colony make a *sine quâ non* of their action. I will conclude by saying this: that I consider this a very fair and friendly offer as it stands. I am not concerned to look into how it comes about, and I think we should take the offer as it stands. We should endeavour to compose present differences between ourselves and the colony. I should have preferred greatly that Her Majesty's Government should have waited until the colony had had some short opportunity of passing legislation; and if that were done, I think we should find ourselves very happily out of a very difficult and dangerous position. With regard to the Bill itself, I have said what I have to say, and have explained my objections to the particular form in which it is drawn; but as I hope the Bill will never have to be carried into effect, my objections will not have to be pressed as they otherwise would.

*THE EARL OF DUNRAVEN: My Lords, I should like to make a few remarks upon this Bill, because it appears to me to be a measure which may have very far-reaching consequences, and may have a result far larger and wider than those which merely apply to the colony most particularly interested. I am sure your Lordships, whatever views you may entertain about this Bill, will approach its consideration with a feeling of considerable reluctance; and feeling that it is a very hard necessity that is placed upon us that we should have to consider such legislation at all, affecting as it does the Government of a self-governing colony. But, my Lords, alongside of that we are face to face with the absolute paramount duty of this country to carry out its Treaty obligations—it is perfectly true that in this case nobody knows exactly what those Treaty obligations are. But in the meantime an arrangement of a temporary character has been concluded with France, and one thing is perfectly certain, and no one in this House will dispute it, that it is absolutely necessary legal means should be provided for carrying out that arrangement. I hold there can be no doubt whatever that if a self-governing colony, by the use of legislating powers devolving upon it, does not provide necessary legislation in a question of this kind, the duty of providing it reverts in that case to the Imperial Parliament. As regards the Bill itself, there are one or two matters

I should like to point out. The principal object of the Bill I take to be to legalise the method whereby the *modus vivendi* with France may be carried out. I have some doubts whether the *modus vivendi* with France can be carried out any more easily, or any more legally, by Her Majesty's naval officers after this Bill is passed—if it is passed—than before. The *modus vivendi*, as your Lordships know, is an arrangement of a temporary character as regards the lobster industry. It makes arrangements that factories shall not be put up except under certain circumstances, and that where disputes arise the naval officers of France and England respectively can decide upon them. As your Lordships are aware, matters were brought, as I may say, to a head not very long ago when a lobster factory, the property of a British subject, was removed by order of one of Her Majesty's officers. An action was brought by the owner of the lobster factory for damages, and judgment was given in his favour, and the object of the present Bill, or its principal object, is to legalise such action on the part of the naval officers should it become necessary to do similar acts again. I think that is a fair statement of the case. What the Bill proposes to do is to reenact certain sections of the Act of 1824, and I would ask your Lordships to look particularly at Section 12, which we are to re-enact. Your Lordships will see that the Queen can, by Order in Council, give such instructions as are necessary for carrying out the *modus vivendi* to the naval officers, and the naval officers, acting upon those instructions, can do certain things which are specified in this section. That is to say, they can remove certain works from the shore—

> "They can remove, or cause to be removed, any stages, flakes, train fats, or other works whatsoever."

So far, so good. "Other works whatsoever" is a very comprehensive term, and would certainly include the case of a lobster factory. Naval officers are given every conceivable power they may require. But if your Lordships look at the language following those words and governing them, it appears that the powers are not so ample as might be supposed; for it goes on to say those works are to be—

> "Works erected by Her Majesty's subjects for the purpose of carrying on the fishery."

I ask your Lordships' attention to those words because, as I read this section, the only power given to the naval officers would be to remove any "works" erected on the shore for the purpose of the fishery. What is the fishery? My Lords, that is the very matter in dispute. That is the very question about which we are going to arbitrate. We have got to find out whether lobsters are fish, and whether the lobster industry is a portion of the fisheries of Newfoundland. We have made a *modus vivendi* to enable us to get along amicably until this question whether the lobster industry is a fishery or not is decided, and in the meantime the *modus vivendi* would be of no use, and cannot be made operative by this section until it has been decided by arbitration whether the lobster industry is part of the fishery. It seems to me we shall be in exactly the same position after this Bill becomes law as before. What would happen would be this: A naval officer might find it necessary to order the removal of a lobster factory, or to pull it down; the owner objects. What is the authority of the naval officer? He derives his authority from this section. "No," says the owner of the factory. "You can only remove 'works erected for the purpose of the fisheries' and lobsters have nothing to do with the fisheries;" and in the contention of Newfoundland, and in the contention of the present Government of this country, and of all previous Governments, the lobster industry has nothing to do with the fisheries. It is perfectly clear, in those circumstances, that the owner of the factory would be in a position to bring an action against the naval officer, and would be entitled to recover damages precisely as Mr. Beard recovered damages against Sir Baldwin Walker. That is the light in which that section presents itself to me. I am a mere layman, and I should be glad to have the opinion of the legal authorities in this House upon it, because it seems to me, if I am right, or if there is any chance that I am right, if there is the remotest doubt about it, then, in passing legislation of this kind, we should be taking a course obnoxious to the colony and very repugnant to ourselves on that account; and our position would not be one atom improved. That is one objection, I say, to the Bill. I object also to it for the reason which the noble Earl opposite mentioned—the application of this enactment to any permanent arrangement that may be made. It appears perfectly plain by that that the Crown is given power by an Order in Council to carry out and enforce any permanent arrangement that any Government may make of any kind without the sanction and approval of the Colonial Parliament, and without the sanction of Parliament here. It is perfectly true that the draft of the Order in Council is to be communicated to the Colonial Government. It does not say it is to be communicated to the Colonial Legislature, but only to the Government. It does not state that it is to be communicated to them at any particular length of time before the Order in Council is made. It is perfectly possible that the draft might be communicated to the Newfoundland Government on the Monday, and the Order in Council made on the Tuesday following. I am not speaking of what is probable—I am only speaking of what is possible; and I hold that in contemplating legislation of this kind, we are bound to consider it in every possible light, and from every possible point of view, and we are bound to consider what, under any possible state of circumstances, may happen. It is perfectly certain that, under Subsection 2 of this Bill, any future Government may make and carry out any kind of permanent arrangement whatever without the consent or dissent, or even the knowledge of the Colonial Legislature, because all it has to do, all it is bound to do by one Provision in this Bill, is to communicate the draft of the Order in Council to the Government in Newfoundland. I agree also with the noble Earl opposite, that the course adopted is a very unusual one as regards Parliament here. The draft of the Order is to be laid on the table of both Houses for one month. It does not say that the terms of the agreement are to be communicated to Parliament. All that is to be done is that the draft of the Order, which will make the permanent arrangement operative, is to be laid on the Table of both Houses for that period. Doubtless, as a matter of fact, it is impossible to suppose that any Government, or any Minister, would refuse to communicate the terms of such an arrangement to Parliament, but still, as a matter of theory, there is no question whatever, I think, that according to this Bill the Crown is given power to make any arrangement of any kind, any permanent settlement whatever with reference to this subject, and is given the power to carry it out without the sanction of Parliament. That is the theory, and unless there is a very strong necessity—I see no necessity mentioned in the Bill, and I cannot see any necessity arising out of the circumstances of the case—I confess I cannot see any reason for departing from the ordinary and usual practice, which is to bring a Bill into Parliament to obtain the necessary powers to carry out an International Agreement. But, my Lords, there is another matter which I object to, if possible more strongly still, because it appears to me it may have a worse practical effect—and that is, the provision that these re-enacted sections of the old Act are to apply to temporary arrangements that may from time to time be necessary. There is no proviso of any kind as regards these temporary arrangements. They need not be communicated to the Colonial Government; they need not be communicated in any way to the Imperial Parliament. What we are asked to do is to empower the Crown to carry out without any reference to Parliament whatever; without the sanction of Parliament; without the knowledge of Parliament—any arrangement that it may make of a temporary character from time to time pending the conclusion of negotiations. Now, my Lords, what is a temporary arrangement? Considering that this question has been in dispute for about 180 years an arrangement lasting over a very considerable time might be considered temporary in view of that fact. Besides that, this temporary arrangement may be renewed from time to time; there may be a whole series of temporary arrangements. It is perfectly certain that most active negotiations upon the subject have been going on for the last 30 years at any rate, and it is therefore, though I sincerely hope it will not be the case, conceivable that negotiations on this subject may still be considerably protracted.

I do protest strongly against what appears to me to be a very unconstitutional action in providing beforehand for carrying out, without any reference to Parliament, any temporary arrangement or any number of temporary arrangements, for however long a period they may last, whatever number of years they may extend over, provided they are not in final settlement of the question. I object to both of these sections, because they appear to me to interfere with the rights of Parliament, as ordinarily exercised, and because they appear to me to interfere largely with the rights and privileges of the Colonial Legislature. It is impossible, my Lords, to reconcile those provisions with the Despatch which has already been quoted of Mr. Labouchere, afterwards Lord Taunton. He laid down—I do not mean to say that it is exactly correct—that—

> "The rights are not to be ceded or exchanged without the assent of the colonists, and that the Constitutional means of obtaining that assent is by laying the measures before the Colonial Legislature."

We are about to proceed by arbitration to define what the respective rights of England and France are. Well, assume that those rights have been defined and specifically ascertained by both parties, it is obvious that the rights of Newfoundland cannot be modified or affected in any degree provided nothing is "ceded or exchanged" after the rights have been defined as laid down in the arbitration. But I would point out to your Lordships that there is nothing whatever in this Bill to prevent any Government making any permanent arrangement it likes for ceding those ascertained and acknowledged rights, and from exchanging those acknowledged and ascertained rights. That may be an almost impossible thing for a Government to do; it certainly would be most unconstitutional; but there is nothing in this Bill to prevent it. If this Bill passes, any Government in the future will have the power, I maintain, of modifying, ceding, or exchanging the acknowledged and ascertained rights of Newfoundland without obtaining the sanction or without the knowledge even of the Newfoundland Legislature, and without the permission or sanction of the Imperial Parliament. If that be so, it is a very serious matter and one which I hope the House will well consider. The only other point which I wish to speak about is the question of arbitration. I did not quite understand in the first place how we stand as regards this question of arbitration. The noble Marquess expressly reserved in his last Despatch relating to arbitration the approval of Parliament. I suppose that is the arbitration mentioned in the Preamble of this Bill, and is one of the reasons why the *modus vivendi* is required. I should presume that in agreeing to this Bill the House will be agreeing to the proposal for arbitration. If the Bill is dropped altogether then I have not the slightest idea how the arrangement for arbitration is to be brought before Parliament. The arbitration as I understand it, is to define the respective rights of the two countries, and I must entirely and cordially agree with that principle. But I do entertain objections to the method. Newfoundland has agreed to arbitration and accepts it provided all questions in dispute are submitted to arbitration after the lobster question has been decided. I think there is a great deal of justice and a great deal of sense in their view. I look upon it that proceeding to arbitrate piecemeal in a matter of this kind will be exceedingly dangerous, and for this reason: that the questions involved are so intimately associated together, and depend so closely upon each other that it would be absolutely impossible to disassociate them and separate them. It is only natural to suppose that whatever way the award may go one of the parties will be dissatisfied. I never have known anybody yet who was satisfied with an award which went against him. It is only natural to expect that the people on the spot will be somewhat exasperated, and they will be inclined to push their claims in other matters infinitely more strongly than they would be inclined to do before; and I fear greatly that if we proceed in this way to arbitrate piece by piece, the difficulties which goodness knows are hard enough to overcome now, will be greatly increased in the future, and that there will be much greater danger of collisions and regretable incidents occurring than even in the past. Let me take for one example the question of the lobster industry, the one which tells least in my favour, and the one question which Newfoundland does not object to have treated separately, a matter which I confess greatly astonishes me. Suppose we go to arbitration on this question of lobsters; suppose the award is given against us; lobsters are decided to be fish, very much, I have no doubt, to their own astonishment, and lobster factories will come within the category of those buildings which France has a right to erect upon the shore. Very well, my Lords, what will happen. It is not likely that the people of Newfoundland will be pleased with that award. The French will have a right to catch lobsters, to erect lobster factories, and so on. Three other questions will immediately come up, which will still be in dispute. There will come up our claim of concurrent right of fishing, our claim to pursue the same right of fishery concurrently with the French. There will come up the question of what constitutes "interruption" of the French, and the question of our right to erect permanent buildings, which has nothing to do with the fishery. If these questions are pushed, as they are likely to be pushed, even more strongly than they have hitherto been, it seems to me exceedingly probable that difficulties will arise. On the other hand, supposing the award to be for us, lobsters, whether they be crustaceans or whether they be fish, may be said to partake of the nature of the hare, because before you can cook them you must catch them; before you can put them in a tin you must extract them from the sea. Then what happens? Other disputed rights immediately come up. The French claim that we must not interrupt them in their fishing; and who is to decide what constitutes interruption? It may be perfectly possible that France might press her claims; and if those claims were allowed, and not resisted, might insist upon every lobster pot being taken up and every lobster factory taken down, on the ground that we were interfering with their right of fishing in the sea, and of using the shore for the purpose of drying their fish, and they might make an award in our favour absolutely null and void. It seems to me there is an immense danger involved in our proceeding by that method, and I sincerely hope Her Majesty's Government will re-consider the question and reconsider the advisability of doing what Newfoundland is so anxious should be done, that is, to arbitrate on all the questions at once. As I read the Papers, France has no objection to such a course, or rather I will not say has no objection, but I will say no strong objection. I will ask your Lordships to look at the Despatch of October 2, 1890, from M. Ribot. On page 38 of France No. 2 (1891), containing further correspondence respecting the Newfoundland Fisheries, he says, at the end of the Despatch, that

> "The Government of the Republic are, however, quite prepared to consider such other conditions of an agreement as may be submitted to them, whether they approximate to the bases of the scheme drawn up in 1885, or whether they contemplate an eventual resort to arbitration, in conformity with the preliminary opinions already exchanged on the subject between the two Governments."

Well, my Lords, the French Government say there they are quite ready to contemplate a general resource to arbitration. They make no mention of arbitration on one particular point.

*Lord KNUTSFORD: They refer to the former negotiations which turned upon the lobster question.

*The Earl of DUNRAVEN: I will now ask your Lordships to look at the Despatch from the noble Marquess to M. Waddington on page 90 of the same Blue Book, in which the noble Marquess says that he has seen his Excellency the day before Christmas, and continues—

> "And I conveyed to you the probability that, in view of the recent failure of all attempts to close the question by agreement, we should take an early opportunity of inviting the French Government to refer the principal questions in dispute to arbitration. You expressed a general concurrence in this policy and intimated your willingness to receive any proposals I might have to make. I now submit to your Excellency, for the consideration of the Government of the Republic, a proposal to refer the extent and limits of the rights secured to France by the Treaty of Utrecht, and subsequent stipulations, to the decision of an arbitrator."

My Lords, that certainly appears to me to be the whole question, and I cannot see that in the Papers presented, France has made anything in the nature of a definite refusal, as has been stated. It is perfectly true that on page 91 of the Despatch of the noble Marquess to Lord Lytton, he states that—

> "The French Government accept arbitration as the means of putting an end to the difficulties in regard to the Newfoundland Fisheries which the two Governments desire to adjust. They agree at once that the arbitrators shall adjudge any question which may be submitted to them by either Cabinet in regard to the capture and preparation of lobsters. They think there would be considerable difficulty in settling beforehand the exact issues to be submitted, and that it should be open to either Government to submit to the arbitrators any question connected with the western shore of Newfoundland, provided that it is one which concerns the capture and preparation of lobsters,"

and so on. Well, that I should judge to mean that there is considerable difficulty in settling beforehand all the issues to be submitted, that they prefer to go on with this question of the lobster industry, but they distinctly say they will accept arbitration as a means to putting an end to the difficulties with regard to the Newfoundland fisheries, and that, I should think, includes all the difficulties that have arisen. Be that as it may, I sincerely hope, for the reasons I have given, that the noble Marquess will, if the resources of civilisation are not exhausted, impress upon the Government of France the great dangers that are likely to arise if arbitration proceeds piecemeal and if every question is dealt with separately, because it will exasperate public opinion in certain events, and other questions will be pressed to their utmost limits, and the difficulties and dangers arising will therefore be greatly increased. That is all I have to say about the Bill. I am sorry, exceedingly sorry, that Her Majesty's Government intend to pass the Bill through this House. What your Lordships are asked to do by Her Majesty's Government appears to me to be this: to read this Bill a second time now with a view to passing it, on the understanding, as we all know, that the Bill is never to become law.

*Lord KNUTSFORD: Not at all.

*The Earl of DUNRAVEN: I understand that the Bill would be dropped if the Colonial Legislation does what is required. When we have the assurance of the Prime Minister and the assurance of the Opposition that the colony will legislate it is not a very strong presumption, I think, that this Bill will never become law. But supposing the Bill does pass through this House, your Lordships will have no opportunity of saying another word about it. Some of your Lordships might feel willing to pass the Bill through its various stages on the assumption that the colony will legislate after what was said the other night; but if the Colony does not, we shall have no further opportunity of considering the Bill. I should think that it would have been a more graceful act to have simply hung the Bill up in its present condition, when we have the most strongly expressed promise on the part of the Prime Minister of the Colony to bring in the necessary legislation, and that the Newfoundland Legislature will pass immediately an Act authorising the *modus vivendi*. You cannot have a more distinct undertaking; and it appears to me that it would have been a more graceful way of treating the matter if this Bill had not been pressed now. Her Majesty's Government know perfectly well that if the Colonial Government does not legislate in time it could pass this Bill through all its stages in one afternoon, if they chose. I sincerely hope Her Majesty's Government will not insist upon that. I would rather the Bill was left in its present condition and the Debate adjourned, and then, if the legislation was not passed in proper time, to go on with the Bill and pass it through the other House. The noble Lord the Secretary of State for the Colonies has commented upon the fact that for a long period of time the powers of the naval officers was ample, and that there was no occasion for any legislation of any kind; but your Lordships must remember that the powers of the naval officers were ample, because they were never asked formerly to exercise them in the performance of the kind of duties that have fallen to them of late. It is only recently that it has fallen to a naval officer, of his own action, to do anything that would affect property of British subjects on shore. It is perfectly true they conducted their arrangements at sea, which was quite within their function; but it is quite another thing for them to perform duties on shore, and that they were not called upon to do until quite recently. The noble Lord also says that this Bill will not affect the right of the colony to legislate on its own affairs, because it only affects Treaties with a foreign Power. But the peculiarities of this case is that although it deals with a matter affecting a treaty with a foreign Power, it does affect the domestic affairs of Newfoundland, and it does affect most seriously the whole internal development and the whole internal arrangements of the colony. When those Treaties were made, as your Lordships know well, Newfoundland was practically a barren and deserted Island, a mere adjunct to a fishery. Now it is settled: it enjoys a full and responsible Government; it has many industries besides fishing, and it enjoys all the means and appliances of a regularly organised society. Over nearly half the sea-board of the community, owing to the claims of the French, the inhabitants have been deprived of right of legislating in their domestic affairs, and of control over their own territory. They cannot legislate to protect their main industry. They cannot do one single thing to prevent their fisheries from being utterly destroyed; they cannot make wharves upon their harbours, they cannot bring roads down to the sea; they cannot construct railways to the coast; they can do nothing that can ordinarily be done by a civilised community. It is impossible to say that such legislation does not affect the internal arrangements or powers of the colony. It appears to me to affect our own sovereignty; you cannot grant good titles to land over this long strip of coast, you can only grant a right subject to an indefinable something, and that is the rights of France under the Treaty. You cannot grant mining licences, and it is perfectly certain that the ordinary Courts will be, after the passing of this Act, superseded in so far as that naval officers will have the power to interfere with the property of British subjects, without those British subjects having any right to compensation or redress. I do not know what the nature of the proposal of the Newfoundland delegates will be, but I suppose it will be a substitution of some Judicial Authority for the non-judicial authority now exercised by naval officers. I suppose they would wish, when questions are in dispute, that somebody accustomed to take evidence, knowing the country and the locality, and the circumstances, could decide upon the justice and the legality of the matter, and then that the executive power should remain with the naval officer. If that be so, I think that would be a very natural request to make. Consider what the position of the fisherman may be. He may be called upon by the commander of a man-of-war to take up his anchor and go to sea or get out of a particular place. The naval officer need not make any inquiry or take any evidence. It is not necessary in such a case that evidence should be taken. We know from what has been said by the noble Lord that the duties of the naval officers are exceedingly difficult. I should say that he has not said one word that is too strong in recognition of their services; but I should think they would themselves be glad to be relieved of their judicial functions in this matter, and I sincerely hope Her Majesty's Government will consider the possibility of establishing Courts of some kind for this purpose. I do not understand that the promise on the part of the delegates to legislate under Section A is in any way dependent upon Sub-section C. That is another matter altogether. What I understand is that the Newfoundland delegates undertake to pass legislation through the Newfoundland Parliament at once as to the *modus vivendi* and the award, and desire that the terms of an Act to deal with the Treaty rights should be arranged; but I apprehend that legislation is to go on immediately on the first point, without regard to whether legislation on the second is carried out or not. I have detained your Lordships at considerable length, and I thank you for listening to me with so much patience. I feel very strongly on this subject. I feel that in some respects the colony has been hardly dealt with, and even in the matter of this very Bill. They knew nothing about the Bill. The delegates who came over to protest against the Bill and against the form of it had never seen the Bill until they came to this country. I do not think your Lordships' House was treated altogether fairly in the matter of this Bill. The noble Lord only gave us one clear day after the presentation of the Papers of his intention to call attention to those Papers, and to bring in a Bill, and then he made a most important speech on the First Reading. It would require a superhuman genius to master all these Papers in one day, and it was probably impossible for your Lordships to be present—I know it was physically impossible for me to be in my place to hear the speech of the noble Lord. A whole month elapsed before the Bill was printed, and within one clear day after the printing of the Bill the noble Lord put it down for Second Reading. Whatever may be good in the Bill no one can deny that it contains provisions of a most far-reaching character, provisions which will be most closely scrutinised in every position, in the most distant parts of the British Empire; and I think, in the circumstances, we might have had a little more time and notice given to us to consider the matter. I think the Newfoundland legislators have a right to complain of the fact that Her Majesty's Government never communicated to them either the nature or the provisions of the Bill. It has been urged that the colony ought to have itself legislated; that when it assumed responsible government it took over all the Treaty obligations affecting Newfoundland which had hitherto rested on the Imperial Parliament. That is perfectly true. But if your Lordships consider for one moment the position of Newfoundland, when she accepted responsible government, and her position now, and the enormous difference between the French claims as understood then and as put forward by them now, the enormous difference between the whole conception of what our relative Treaty rights were 50 years ago and now, it is impossible to say that Newfoundland, in accepting legislative Government, accepted the liability to legislate for carrying out the present *modus vivendi*, or to carry out the Treaty engagements as understood by France. Newfoundland has never objected to carry out her Treaty obligations as understood by us. The Newfoundlanders have always said: "We will legislate to carry out our duties as interpreted by you. What you say are our Treaty rights we are willing to carry out, but we never undertook to carry out the interpretation put by France upon the Treaty or to carry out the *modus vivendi*." If we consider the grievous effect of these Treaty rights upon the colony I do not think we ought to be surprised that they demurred to giving legislative sanction to anything that may possibly be conceived to mean that they have for one moment recognised the justice of the French claims. I regret that the Colonial Legislature did not legislate to carry out the *modus vivendi*. From what has been said by the Prime Minister at the Bar of the House, and from what we know he has undertaken, as far as he can, that is that the colony will legislate, I believe that will be done. I sincerely hope that will be so, and I also hope that Her Majesty's Government will not press this Bill through all its stages in this House, but that they will consent to hang it up in order to give the colony an opportunity of fulfilling its obligations itself.

*THE DUKE OF ARGYLL: My Lords, it seems to me this is a Bill which it is extremely unpleasant to vote for, and quite impossible to vote against. It is quite impossible to vote against it because it is proposed to Parliament under the responsibility of the Ministers of the Crown who come down to Parliament and tell us that they have no adequate powers to fulfil our Treaty obligations. Nor can it be denied that that allegation is true, and that circumstances have arisen which seriously impede the existing *modus vivendi* of a very difficult and complicated nature on the shores of Newfoundland. I think, therefore, it is quite impossible under the circumstances that the House should say "not-contents" to the Second Reading of the Bill; but I hold that in passing the Second Reading, or in assenting to it without further discussion we are not committed to more than its principle, which is that it is the duty of Parliament to place in the hands of the Ministers of the Crown undoubted and complete powers to enforce our international obligations in Newfoundland. My noble Friend who spoke so ably on this side of the House said he hoped that no feeling of irritation or provocation against the colony would interfere with our deliberations, and I think that sentiment was heartily responded to by the noble Lords opposite. My Lords, I go much further, and say that I heartily believe that the feeling and sympathy of this House is entirely with the colonists in the difficult position in which they are placed; by which I do not mean to say that we agree in all they have said in their argument, for I think they overstated their case on several important points; but I think we all sympathise with them in the difficulties in which they are placed with regard to France, and we see the serious impediments which, in the present position of affairs, our Treaty obligations impose upon the prosperity and advancement of that colony. The noble Lord who moved the Second Reading of the Bill said he regretted, I think, something in the tone of the address which was delivered to us at the Bar of the House by the Prime Minister of Newfoundland.

*LORD KNUTSFORD: Not in the tone of the address at the Bar, which I spoke of as able and temperate, but of the Petition.

*THE DUKE OF ARGYLL: I beg the noble Lord's pardon. I thought he alluded to the address. I was going to say that although there are several paragraphs in that address which overstate the position of the colony with regard to our right of initiative in a matter of this kind, a matter of purely Imperial legislation, yet the tone of that Petition was admirable in all respects. It was a recognition of the ultimate responsibility of the Imperial Parliament; and although it was, of course, tinged with that feeling of independent action which is common to all the colonies of our country, I do think that a great deal of what has fallen from the noble Lord (Lord Dunraven) who has just sat down is perfectly true. The irritation of the colonists has arisen mainly from the overstrained interpretation, as it humbly appears to me, which France has put upon our Treaty obligations. If you read the clause in the Treaty of Utrecht which refers to this question, I venture to say that no human being would imagine that the French had any other right on the coast than that of simply landing to dry their fish upon our shores. I daresay many Members of this House have seen the process as I have seen it on the shores of the North American Continent, which is unlike anything that exists in this country. They have there a very much hotter sun than we have, and the result is that in the fishing season, having split the fish, they dry them in immense quantities upon the rocks, and, where there are no rocks, upon wooden stages. I have seen the shores of New Brunswick literally white with the split fish being dried in the sun. That is the right which was conceded to the French—nothing more, nothing less. Where, as I have said there are no rocks, they put up stages on the shore. The rocks generally being highly glaciated are used for the purpose; but where there is only shingle or other kind of shore, what they do is to erect wooden stages; but that is only on the foreshore, and there can be no doubt that those who drew up the Treaty of Utrecht were thinking of that practice. It has been made a subject of complaint in the Petition and in the address at the Bar, that the French have claimed not merely the right to dry their fish upon these shores, but the exclusive right to fish along the whole of this coast to the exclusion of British fishermen. There is not a word to that effect in the Treaty of Utrecht. I am told also the French claim a monopoly of the right to use the creeks and harbours which are habitually used by the boatmen and fishermen of Newfoundland. There are certainly words in one of the Declarations connected with the Treaty of Utrecht which speak of competition being limited; but the obvious meaning is, that we ought not to prevent them fishing by ourselves occupying the whole of the shore in such a way as that they shall have none of it, for the purpose of drying their fish; but surely there is, within the limits of the Treaty, room both for the French and the Newfoundlanders to fish. Then, with regard to the question of the lobsters, I think that was a question which had not arisen when the Treaty of Utrecht was drawn up. I have no doubt that nobody knew anything about the canning of lobsters at that time. As to what the noble Lord said, that naval officers should not be entrusted with duties on the land, I apprehend that the duties on land mean duties on the foreshore. The noble Marquess shakes his head; but if the Newfoundlanders have been prevented from making roads down to their own coast, from erecting buildings on their own shores out of the reach of the tide so as not to interfere with any right of drying fish, then I think that is a most undoubted exaggeration of their claims by the French. I think, under all the circumstances, the Newfoundlanders have a great and serious grievance, and I am not surprised that they have found it, practically, very difficult in the state of feeling and irritation in the colony to legislate for themselves. I am not very sure that an Act of Parliament passed by us will not relieve the Government of Newfoundland from a serious difficulty rather than otherwise; but I should be very glad if the promise which they have made should be realised, and if the noble Marquess opposite at the head of the Government should be able to wait until something has been done by the Newfoundland Government to enforce the *modus vivendi* with regard to the rights of the French. I know it is not in the power of the noble Marquess opposite to force France into a larger and general arbitration on the whole question; and if the Treaty is as I hold it to be I can well understand how the French should refuse to do so. Circumstances have enormously increased their original claims, and their proposal is to enforce those claims. My noble Friend behind me has made some observations upon certain clauses of the Bill which would seem to give the Government greater power than is absolutely necessary in the present emergency. I do not know how far that is true—certainly the clause referred to seems to give them the power of enforcing any new arrangement with France as if it was a new Treaty; and the only check upon that is, that the Order in Council must be laid on the Table in both Houses of Parliament for a month. Perhaps, if the Bill is to be further proceeded with, the noble Marquess will consider how far that clause might be modified. I entirely agree with the noble Lord that the argument at the Bar of this House with regard to the pledge given by Mr. Labouchere, afterwards Lord Taunton, has no bearing upon the question before us now. We all admit that the territorial rights of the colony, which are, in fact, the territorial rights of the Crown, ought not to be altered or abated in any manner without consulting the Local Legislature. But I suppose the noble Marquess does not propose to abate or sacrifice any of the Treaty rights of the Crown; and, therefore, I think the argument on Mr. Labouchere's letter falls entirely to the ground. I am not sure, however, that words of Mr. Labouchere would not cover the case of a new arrangement made such as is contemplated by the 2nd clause in the Bill. I heard with great pleasure from the noble Marquess that there is some hope that the arrangement suggested by the colony may prevent the necessity of going further with this Bill. I believe the Government have been as reluctant as their political opponents could have been to bring in this Bill; but they have been forced into doing it by regard for the interests and honour of the Crown; and I am sure the feeling of your Lordships, as far as the colonists are concerned, is one of entire sympathy with them in their difficulties.

Lord HERSCHELL: My Lords, there has not been, as there could not be, any difference of opinion to-night with regard to the obligations which rest upon the Government of this country to see that the Treaties which are in existence are enforced and fulfilled. The rights, whatever they may be, and whatever their extent, are ancient. They came into existence at a time when there was no inhabitant population upon what is known as the French shore of Newfoundland. The Treaty obligations were not imposed upon any existing community by the wish of the British Government, and the community that has since grown up has come into being subject to the existence of these Treaty rights. I think that is beyond the possibility of question. The liability of the inhabitants of Newfoundland to the burden of these Treaty obligations does not depend upon any connection of the colony with the British Crown. If that link were severed the inhabitants of Newfoundland would be not one whit less under the Treaty obligations; those obligations would be in no degree less binding upon them. I think it is essential this should be borne in mind: that they would then find themselves still subject to the Treaties, face to face with the French nation insisting upon their performance, and they would be subject to the entire pressure of the force existing in the French people. I am quite sure, under those circumstances, the inhabitants of Newfoundland will feel that these ancient Treaty obligations, resting as they do upon us, bring a serious burden, attendant with manifold risks and responsibilities, and that the Government of this country is deserving of consideration at their hands in the difficult position in which they must often find themselves placed when called upon to enforce these Treaties. On the other hand, I am quite sure that the people of England will regard with sympathetic consideration the difficult position in which the inhabitants of Newfoundland are placed. The Treaty presses upon them with a heavy burden, and the conditions which exist at the present time differ most materially and vitally from those which were in existence, or which could have been in contemplation, at the time the Treaty was entered into. At that time the country was comparatively unpeopled; there was no desire to develop its resources—indeed, its resources were unknown. It was regarded as a mere accessory to a fishing ground; but now a population has grown up in this region, possessing settled civil institutions and a small organised system of government. It is a growing population, naturally anxious to spread itself and to develop the resources which undoubtedly exist in the country. Under these circumstances, it is not unnatural that the people of Newfoundland should chafe and murmur under the restraints to which they find themselves exposed by reason of these Treaties, the more so when they conceive that the Treaties are being pressed by the other party to them beyond their legitimate bounds. If, therefore, the people of Newfoundland have sometimes appeared to press their claims unduly, or to have exaggerated their rights, or to have exhibited an over-sensitiveness or jealousy of the action of the Government at home, I am quite sure that the people and Government at home in this country will have every disposition to view their attitude in that respect with the utmost generosity. I certainly feel bound to say that I think they have in one respect somewhat overstated their case. I think it is impossible to contest the position that the Government of this country, bound as this country is to observe the obligations under these Treaties, must have the power, pending the negotiations for a settlement, or while the matter is in train for a settlement, to arrange a *modus vivendi* which will permit the matter to be discussed and negotiated upon. There is no tribunal to which appeal can be made; in the last resort the arbitrament of war is all that can be relied upon for a decision; and when it is remembered that a war would involve not only this country, but all her colonies and dependencies — that it would be war of a terrible description — surely it cannot be contended that a country thus bound by obligations which in the last resort may lead to war with all its fatal consequences is not to be in a position, even if there be opposition on the part of the colony interested, to arrange a temporary *modus vivendi.* I am quite satisfied that upon reflection the people of Newfoundland will see that is a position which cannot be maintained, that it would not be to the interest of any colony that it should force such a position upon the Imperial Government which holds its powers in trust not only for the people of this country, but for the colony connected with it. But in entering upon any *modus vivendi* which becomes necessary, the wishes and views of the colony should be anxiously considered, and as far as possible carefully consulted, and every effort should be made to secure that the *modus vivendi* agreed upon should be as little unpalatable to the colony and as little burdensome to themselves as it can possibly be made. This further matter I think also is not in conflict. When Her Majesty's Government came to the conclusion that there was no existing power of properly enforcing the Treaties at that moment, it became their duty to see that that state of things should exist no longer. I know there are those who think that having regard to the history of these Treaties, and of the connection of Newfoundland with the British Crown, the Treaties were a part of the conditions upon which the colony obtained its legislative powers, and that it is not correct to say no power exists of enforcing them there. But even if such a view is correct, it can only be ascertained after the lapse of a considerable time, and it would then prove that such means even as existed were of an imperfect and insufficient character. Therefore, I think nobody can blame Her Majesty's Government for endeavouring at once to procure the means of enforcing these Treaties. I will not go over again what has been said by the noble Lord opposite me, but I confess it strikes me, as it did him, that as soon as that conclusion was arrived at it would have been in the highest degree expedient that it should have been communicated to the colony with suggestions on the part of the Government as to legislation by the colony itself and an indication of the kind of legislation which might have been suggested or recommended by Her Majesty's Government. But Newfoundland has a Constitution with a power of legislation upon its internal affairs. I entirely agree that the power of enforcing these Treaties cannot be regarded as a matter merely concerning the internal administration of the colony, because we are bound by the Treaties and under obligation to enforce them; but, still, I think that the enforcement of the Treaties ought to be carried out as far possible under the provisions of the Municipal Law prevailing in the country and in harmony with settled constitutional principles. What is the proposal of Her Majesty's Government in this Bill? It is simply to revive the powers contained in the Act which was passed in the middle of last century, and those powers are certainly of a most arbitrary description. Power is given to any naval officer under the authority only of Orders from the Executive Government of the day to go ashore along the whole of this coast of Newfoundland, and there to take down buildings and generally interfere with the property of British subjects—they can take down buildings, houses, anything that they may have specific instructions to remove, or which they may consider require to be removed within the general instructions which they may receive from the Executive Government of the day. Undoubtedly that is a very serious and arbitrary power; I use the words "arbitrary power" in the sense of one which can be controlled by nothing but the will and discretion and judgment of the Executive. It was not unnatural that the Government, feeling the necessity of a power to enforce these Treaties, and having this method ready to their hand, should have contemplated its adoption; and yet, I think, it was due to forgetfulness of the elaborate conditions, as now existing, from those which existed at the time when this legislation was first adopted by Parliament. There were then no inhabitants on the shore, and no Courts; the country had no settled Institutions; the territory was not brought within the municipal law at all, and probably at that time the course taken was the only one practicable. But now there is a different state of things in all those respects. It is a settled territory, under municipal law, with Courts exercising jurisdiction there, and with a settled organised population. It seems to me that that which in the middle of the last century might have been a proper or even necessary means of enforcing Treaty obligations, ceases to be so when you have this altered condition of things which I have exhibited to your Lordships. The ordinary way of enforcing a Treaty right, when any act is to be done within the territory right, is to make a breach of the Treaty—a breach of your municipal law, to proceed in your Courts for penalties for breach of that municipal law, and giving the right to remove any erections which have been constructed contrary to the provisions (as they would be) of the municipal law. That, I apprehend, is the ordinary proper constitutional method by which the Treaty obligations which have been undertaken are to be discharged, and I can see no reason why that course should not have been adopted on the present occasion. Of course the decisions of the Courts would not be binding on the other Power which is Party to the Treaty, but no more will the instructions of the naval officers be binding on the Power which is the other Party to the Treaty. In the one case, as in the other, remonstrance would be open to them if our part of the Treaty were not being properly discharged. Here let me say that I draw a distinction between acts to be done upon the shores within the bounds, if I may say so, of the Municipal or Local Government, and acts to be done in the territorial waters. As your Lordships, I daresay, may know, there was considerable discussion some years ago with regard to what were known as territorial waters being so, to a distance of three miles around the coast of any country. According to the views of all writers upon international law, there exists a certain dominion, or sovereignty, or power exercisable by the nation whose shores are washed by those seas; but there arose in the case of the *Franconia* some years ago—where a foreign vessel was sunk in English waters—a question which was very fully discussed as to what were the rights in territorial waters. The majority of the learned Judges were of opinion that the land covered by those waters was not to be regarded as a part of the adjacent territory within its local law, and that we could only deal with any acts done there or treat them as offences by legislation expressly for that purpose. Accordingly in the year 1878 or 1879 an Act was passed which applies not only to the United Kingdom, but to the whole of our colonies, which does make certain offences in territorial waters subject to what is known as the jurisdiction of the Admiral, and triable by the Courts of the United Kingdom; but that Act only deals with certain offences, and would not in the slightest degree affect offences which might arise in virtue of breaches of these Treaties. But the very necessity of the case being, as it seems to me, with regard to territorial waters, would justify making the naval forces do the police duty with regard to these Treaties within those waters. It would be the only practicable means by which the Treaty obligations could be carried out, and any attempt to carry them out by the Newfoundland Government within those waters would be so burdensome and so difficult that I do not apprehend there would be any objection on their part to the territorial waters being dealt with by the naval officers, under instructions from Her Majesty's Government, and I do not think that the question of the propriety of dealing with matters on shore would extend to territorial waters. Therefore, I should be disposed to draw a broad distinction between the two cases. Now, having regard to the circumstances to which I have called attention, do not the proposals of the Newfoundland delegates really afford a basis for the settlement of this matter? I quite agree that such an arrangement as I have sketched out would be a matter of some little complication and difficulty. It would be one which it would be impossible to make applicable at once; and therefore I think, in spite of their objection to the naval officers thus acting upon shore, the Newfoundland delegates indicate that the Newfoundland Legislature would be willing at once to pass an Act giving all the powers which Her Majesty's Government ask under this Bill, notwithstanding their objections to it on principle, as a temporary expedient, until a better plan can be arranged, and they indicate their willingness afterwards to carry out legislation on the subject. That is, I think, briefly the proper constitutional method of enforcing Treaty rights. I cannot help hoping that Her Majesty's Government will endeavour, upon such a subject as this, to come to a settlement of these very difficult questions, and that they will not insist upon pressing forward this measure, even in your Lordships' House, at the present time. I cannot think, having regard to the objections which are entertained to this measure, and the objections to which it has given rise, it would be for the credit of your Lordships' House that the measure should be pressed forward through this House, notwithstanding the strong objections raised to it, and the offer to provide a substitute which Her Majesty's Government, as I understand, admit would be a sufficient substitute for it; because if that is done before a certain stage is reached in the next House, they have intimated their willingness not to proceed with the Bill. Then would it not be better that it should go no further in your Lordships' House, and that we should not seem to pass a Bill overriding the desires and wishes of the people in the colony, when that disagreeable necessity is not to be imposed upon the other House of Parliament. I press this the more because if this Bill is proceeded with, it will obviously be necessary to us to enforce in this House the views I have expressed with regard to the manner of passing this Bill. This would be the actual measure, and if it is passed through this House, we should have no further voice in the matter if the arrangement should unfortunately not be arrived at. We should then have given our sanction to a form of legislation which is without precedent, and which, I feel sure, is likely to excite jealousy and suspicion in the minds of our fellow countrymen in the colony. I feel it our bounden duty, on the grounds which the noble Duke did his best to impress upon the House, to consider the changes which would be necessary to make it such a measure as ought to pass into law. The noble Lord the Secretary of State for the Colonies, in reply to the criticisms of the delegates with regard to the second sub-section of the first clause, which has excited great alarm in the colony, said it gave no powers to the Government to make arrangements with France without the consent of the colonists. I quite agree it does not give them any new power to make a Treaty which they could not make to-morrow. And possibly it may be said it does not withdraw the absolute necessity of laying the matter before Parliament, because an Order in Council must first be laid on the Table in both Houses. But, strangely enough, it does not provide what is to be done in order to pass the measure into law. Looking at the matter practically, it may make all the difference in the world as to a Government entering into a modification of the arrangements without the consent of the colony; whether in order to enforce it they had to come and get the necessary power to make that arrangement, or whether they had only to lay an Order in Council on the Table for a certain time, after which, if not objected to, it passes into operation. The effect is very different, and I do not wonder that the inhabitants of Newfoundland, in view of the promise given them in Lord Taunton's letter, should view this with jealousy and alarm, because it does contemplate the making of an arrangement, which they do not like, easily enforcable. Therefore, my Lords, I hope that sub-section will not be insisted upon. I draw a broad distinction—I think it is a distinction which has not always been kept in view—between an arbitration which merely interprets, and an arbitration which affects our trade rights. In order that you may enforce what is called the result of an arbitration which is merely an arbitration to enforce a Treaty you want no new power. It is the Treaty you are enforcing just as much afterwards as you would have been before. The parties to the trade have agreed upon somebody to interpret the Treaty for them, but it does not make a new right, any more than a Court in enforcing the terms of an Agreement is making a new Agreement. Therefore in respect of enforcing the Treaty rights it seems to me if you have power to enforce the Treaty you have all the power you need, because the Treaty is the Treaty just as it was before, and you are not enforcing anything else but the Treaty, which is the arrangement between the parties. It is just because it seems to me to be only enforcing the Treaty that I do not think it infringes in the slightest degree upon the assurances given by Lord Taunton. If I thought it were not enforcing the old Treaty that would be a different matter. It seems to me that you are arranging for new rights if the rights you are going to enforce are not enforcible under the old Treaty. I am not going to trouble your Lordships with observations upon the other parts of the case; the hour is late, and I do not wish to detain your Lordships longer. With regard to the desire of the colonists that there should be an arbitration upon all questions, I am quite sure everybody will agree that it is natural, and that it is desirable. I cannot think Her Majesty's Government will, at any time and in any circumstances under which a general solution of the question seems possible, do otherwise than use their best endeavours to secure that result which it is obvious is in the best interests of the country, the colony, and Her Majesty's Government. As regards the present arrangement, I do not understand that there is at present any binding agreement on the Government to refer any question except the question with regard to the lobsters. That is agreed to be referred. As to the rest, though there is a practicability of further references, none of them could be referred except by a new Agreement between both the contracting parties. I confess I sympathise very much with the view of the colonists as to the danger to them of separate arbitrations on a variety of distinct points which do not cover the whole ground, and still leave certain matters unsettled. Of course there may be still some burning question, in view of which, to avoid infinitely serious dangers, you must obtain a solution by arbitration; but putting that aside I quite understand it would be against the interests of the colonists—and they are naturally jealous of it—to have a series of references unless that series of references cover all questions. Therefore I urge upon Her Majesty's Government that before agreeing upon any further arbitration upon any particular point they should consult the colony, should ascertain fully its views, and unless they feel themselves bound from paramount considerations to do so, they should yield to the wish of the colonists not to refer any single question—I mean without the consent of the colonists themselves—unless they could refer them all. I quite feel the difficulty of giving an indefinite pledge as to the future, but all I understand the delegates to ask is an assurance as to the present. Of course this arrangement is not to be kept open indefinitely. It is not to be kept open to either party indefinitely in the future to suggest other matters for arbitration for an indefinite time; and, therefore, I cannot help thinking that Her Majesty's Government might well convey to the delegates of Newfoundland, without, of course, acceding to their view, the assurance that, unless from some paramount necessity, Her Majesty's Government would not refer individual questions unless they could get such a reference as would cover the whole of the existing controversies. I am quite sure we are all conscious of the evils which are likely to result if this measure be pressed forward into law against the will of the colonists. With all their feelings of antagonism and hostility aroused it will not be easy to carry it out, and we may add to our difficulties instead of diminishing them. But, my Lords, if on the other hand we can carry with us the willing assent of the colonists it would be much better to do so. In enforcing this measure on the Colony of Newfoundland we cannot forecast all the evils which may ensue, though we may apprehend that they will be serious and grave. On the other hand, if we can bring them to a willing mind with us upon some programme or upon some plan which both are able to say is satisfactory and sufficient, then, my Lords, the Colony of Newfoundland, one of our oldest colonies, which has shared our peril for centuries, and which has had its part in our glories, may be, and will be, a contented member of this great Empire.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, as the noble and learned Lord who has just sat down has said, the hour is late for the virtuous habits of this House, and for that reason I should not trespass upon your Lordships at any length. I have another reason for not wishing to do that. I cannot conceive any question upon which it is a more anxious or a more responsible task to speak than the question which is at present under the consideration of the House. We are dealing with a question on which there is the acutest possible feeling, not only on the part of our colonies, with whom we have so deep a sympathy, but also on the part of our neighbours and allies across the Channel, with whom we wish to live in as much harmony as possible. It is therefore an occasion on which I think anybody in an official position may be excused for admiring the proverb which says that "Silence is golden." The general course of the Debate in this House does not seem to call for much observation on my part. It has on the whole been exceedingly friendly. The noble Lords opposite though they demur to some of our proceedings have maintained that spirit of candour which distinguished their speeches when the matter was first submitted to their judgment. The Bill has, on the whole, been received with favour. I believe that in all essential matters there is a strong amount of agreement, and the smaller matters which have been referred to are hardly worth discussing at any length. The Bill itself in its details and structure has been the subject of a good deal of criticism, but I say, though with some hesitation, speaking after so distinguished an authority as the noble and learned Lord, that I cannot help thinking that he has not read the Bill with his usual care. It seems to me that the last sentence of the Preamble must be brought into consideration when you attempt to interpret the peculiar phrases which are found in the rest of the Bill. The words in the Preamble are—

> "And whereas differences have arisen between the United Kingdom and France with respect to the Newfoundland fishery engagements, and negotiations are in progress with a view to arrange such differences, by referring the questions in dispute to arbitration, and pending the completion of such negotiations temporary arrangements may from time to time be necessary, and it is expedient to remove the above doubts, and revive the enactments set out in the Schedule to this Act, and apply the same to any temporary arrangements that may be made as aforesaid, and to any permanent arrangement with respect to such differences."

I do not know whether the noble and learned Lord said it, but I think I heard it said that the liberty to confirm temporary arrangements would extend to new and temporary arrangements without any limit of time. It is obvious that the temporary arrangement referred to in that Preamble is that precise *modus vivendi* which is known to your Lordships, and which is laid upon the Table of the House. It is obvious that the permanent arrangements are the result of the negotiations which were going on when the Bill was introduced, and that these permanent arrangements have exclusive reference to the differences which have arisen between this country and France on the fishery question.

*The Earl of KIMBERLEY: Differences of interpretation.

The Marquess of SALISBURY: Differences of interpretation, certainly. They are said to be differences. Of course, there are differences of interpretation, but they are differences which, as a matter of public notoriety, are now in existence, and are the subject of negotiations. I do not, however, wish to defend absolutely the drafting of the Bill. It very often happens that a layman accepts the drafting without entirely seeing the mode in which the language used fits in with his ideas, and yet he accepts it with that humility which the laity show to the learned professions. One of the services which I hope from the discussions in this House is that, if there is any ambiguity or any difficulty in ascertaining the precise meaning of the language, the Bill, on leaving this House, will no longer be marked by any such defect. That matter is one which when we come into Committee I hope we shall be able easily to correct if the Bill is at all indefinite in its language. Then there was another very ingenious point referred to by the noble Lord behind me (the Earl of Dunraven) which would have made the Bill an absolute absurdity, but which will be one of the subjects for consideration in Committee—that is, that the works which we should have a right to order to be removed under an Order in Council are for the purpose of carrying on the fisheries, and we are at this moment contending that lobstering is not a fishery, so that the works would not be for the purpose of carrying on the fisheries, and could not be removed. That, I think, we can correct when we get into Committee. However, I do not regard these criticisms as being of so much importance on the Second Reading as they would be on the Third. The only matter in regard to the conduct of Her Majesty's Government with respect to the Bill which has met with the criticism or censure of noble Lords opposite is that we did not communicate the Bill to the Newfoundland Government before laying it upon the Table of the House. It must be borne in mind that the Newfoundland Government is occupying a position distinctly hostile, and communicating with the Government meant communicating with the Legislature. Is it respectful to Parliament to communicate a Bill to another Legislature before it is communicated to the Legislature through which it will have to pass? I have my doubts on that point. I think, at all events, it is a breach of the ordinary practice and rule of Parliament, which, at any rate in a highly-contested matter, is not easily to be defended. Setting that aside as a question of ceremony and sentiment, there was another reason why we were very unwilling that the Bill should be discussed in the Legislature of Newfoundland before it was introduced here. We did not wish our policy to be misunderstood. We were anxious to have it introduced here with a speech by a responsible Minister stating the grounds on which it was recommended to Parliament. If it had been crudely sent to the Newfoundland Legislature to be subjected to the criticisms which certainly would not have been entirely just, I think our policy would have been put into a very unfair position, and a fair and impartial judgment of the question would have been seriously imperilled. I cannot see that the colony has any reason to complain on this ground. If we had attempted to hurry the matter and to rush the Bill through Parliament, or if we had attempted to take from them the proper time for remonstrance, if there was anything to be objected to, then, no doubt, their ground for complaint would be very just. But that our intention should be communicated in the first instance to the body we serve—that is, the Parliament of England—and not to any one else, does not seem to me to be a matter of censure, but rather the setting of a precedent which it would always be wise to follow. I do not think that there is any other matter on which the noble Earl was disposed to censure us. But both he and the noble and learned Lord who has just sat down made several suggestions on the nature of the jurisdiction which was intrusted to the naval officers by this Bill, and they both indicated a very strong preference, which has also been expressed by the Newfoundland delegates themselves, for some legislation which should place the disposal of the more contested matters, especially upon land, in the hands of a more regular tribunal—the local Courts of Justice. I have nothing to say against that view. It commends itself on many grounds, although it may not be so easy to carry into execution as the existing system; but it commends itself on many grounds. We shall be glad to consider any proposals for that purpose, and very glad if we can hit upon any arrangement which will carry out the essential objects we have in view, and, at the same time, will satisfy the very proper, reasonable, and orthodox scruples about intrusting such large powers to naval officers as are naturally entertained both in this country and in the colony. I think it is clearly understood that it would be impossible to introduce any provisions of that kind into the Bill now before Parliament, because they would necessarily be of a difficult and complicated character, and much time would be required to be spent on their consideration. If any legislation for that purpose is undertaken it must be in a new Bill; but I see in principle no objection to the adoption of such a course, and the judgment we form upon it must entirely depend upon the details of the measure that is proposed. The noble and learned Lord seemed to think that it would be sufficient to enact that the Treaty is to be observed, and to prosecute in the Courts of Law any person who disobeyed that Treaty. Surely the noble and learned Lord must see that that would give to the particular tribunal the task of interpreting the Treaty, and the Treaty is to be interpreted by a tribunal whose moral authority will be high, but whose legal authority will be zero. The arbitrators will determine what is the meaning of the Treaty. France will require—and we have engaged by Treaty that it should be so—that we shall absolutely carry out the decision of the arbitrators, whatever that may be; but if you go into a Court of Law and claim that the Treaty is made a part of the municipal law, and that the person who breaks it is to be punished or to suffer loss for so doing, the Treaty must be interpreted by the Court according to its own lights; and the whole work of the arbitrators will be set aside, and the whole of the diplomatic difficulties with France will be exactly what they are now. I cannot think that that particular mode of dealing with Treaties will be satisfactory. The only other observation on the part of noble Lords to which it is necessary that I should refer is the one which I think they urged with the greatest emphasis, and that is their proposal that we should accept the promise of the Prime Minister of Newfoundland that certain measures should pass the Legislature of Newfoundland, and, accepting that promise, should forbear to pursue the Bill we have in hand. Now, I wish your Lordships to examine the question of time. The fishery begins not later than the end of May. By the time June has arrived there must be power—whether it be conferred here or in Newfoundland—in the hands of the Executive to carry out the *modus vivendi*. The actual arbitration does not press quite so much; but it cannot begin until the Executive Government has been fortified by the approval of Parliament, and has received the power which is necessary to enable it to carry out its engagements. Therefore, it would be impossible to delay this Bill for any considerable time. The Bill that is to sanction the *modus vivendi* could not be delayed beyond the end of

May. But my noble Friend on my left (the Earl of Dunraven) seemed to say—I think that was the tone of the observation of the noble Lord—"You have the promise of the Prime Minister of Newfoundland; what more do you want?" If he has given that promise, I am sure he has given it in absolute sincerity, and has an entire belief that he can carry it out; and it is the same with regard to the delegates who accompanied him. But is any man in a position to promise absolutely for a numerous Assembly sitting at a distance, subject to other influences than those by which we are surrounded here, and, of course, liable to constant changes in its composition, and to the accidental loss of some influential man, to the arrival of some other influential man having other views, and to a great variety of incidents which may make the Assembly, when a division comes, unwilling perhaps only in some one point—but that an important point—to carry out the engagements which have been made on its behalf? Or it may not understand engagements in the same way; or some one or other of those numerous accidents which may happen in transactions of that kind and prevent the Bill from being passed which has been promised. I do not say they are probable—I do not say that that will be the case. I hope that the Bill will pass, and that no difficulty will arise. But we are bound to consider the case if it should not pass. The *modus vivendi* would not be in existence; all the liabilities to conflict would be as vigorous as ever, sharpened by the discussion which has taken place, and by the attention which has been drawn to them; and all the dangers of leaving this question open, which were so eloquently dealt with by the noble Earl opposite, would be as acute as ever. Therefore, it appears to me to be more prudent to go on with this Bill, as far as this House is concerned, with the distinct understanding that if by the time the House of Commons comes back after the Whitsuntide Recess the other Bill is passed in Newfoundland no further efforts will be made to pass this Bill before the Imperial Parliament. My noble Friend opposite also suggested that we might put aside the consideration of this Bill in this House, reserving to ourselves the right, if difficulties arose, of passing all its stages at one sitting. I do not think that would be a satisfactory proceeding. The very acuteness with which he proceeded to point out the defects of the Bill shows that it is necessary that the measure should go through the ordinary consideration of the House, especially on the part of those great legal authorities we have in this House, in order that if, unhappily, such a Bill is necessary, it may be at least a Bill which will do the greatest amount of good and the least amount of harm, of which such a Bill is capable. I do not think we should be justified in passing such a Bill, as it were, at a day's notice and without some consideration, and, therefore, I prefer to recommend your Lordships now to read the Bill a second time, and then to send it for consideration to the Standing Committee. Then if, as we all hope, the Bill is not necessary, I do not think that there is very much harm done, either from the point of sentiment or from any other point of view, in consequence of the needless labour to which your Lordships have been put. But if, unhappily, the Bill is wanted, it will be in a condition fit to pass into law, and we shall be able to go to the House of Commons with a better hope that they will take notice of the exigency of the circumstances. On those grounds, though I cannot accede to the request that we should not go on with the Bill now, I do most earnestly join with the noble Lords opposite in expressing the hope that the Newfoundland Legislature will take this matter into its own hands, and will pass the measure necessary. I believe that in doing so we shall give an infinitely greater chance of a peaceable and effectual execution of whatever the arbitrators decide to be the Treaty than could be the case if the obedience to the Treaty is imposed, as it were, from without. I entirely accept what the noble and learned Lord said of the anxiety which this Government must feel that if there is any further reference to arbitration all the contested points should be submitted for decision, that it is very undesirable that the matter should be hung up, and very desirable that we should know exactly where we stand. But, as he observed with the greatest justice, there is a great difference between the arbitration which interprets a Treaty and the arbitration which decides a right. We must not misunderstand the position of the French in this matter. I do not think that the French will shrink from arbitration which decides what the documents mean; but they do shrink from any arbitration which shall decide their general rights in Newfoundland, and whether the Treaties shall stand upright or not, whether they are obsolete or not, and whether or not they have a right to enforce them. They have again and again said they will not carry into arbitration their international rights in this respect, and I think it is because such extreme demands have been made in Newfoundland that the French have this dread of carrying the arbitration too far. I do hope that as time goes on that reluctance will be overcome, and that we may be able by this arbitration to remove all those difficulties which have done so much to imperil, not only our relations with our old ally, but also the industry and prosperity of the colony, whose well-being we value so highly.

On Question, agreed to.

Bill read 2^a accordingly, and committed to a Committee of the Whole House on Monday next.

LONDON (CITY) TRIAL OF CIVIL CAUSES BILL—(No. 103.)

Read 2^a (according to order), and committed to a Committee of the Whole House To-morrow.

TAXES (REGULATION OF REMUNERATION) BILL—(No. 93.)

Read 3^a (according to order), and passed.

House adjourned at a quarter past Eight o'clock, till To-morrow, at quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 27th April, 1891.

QUESTIONS.

ORANGE LODGES IN HER MAJESTY'S ARMY IN INDIA.

MR. T. D. SULLIVAN (Dublin, College Green): I beg to ask the Secretary of State for War whether, in view of the fact that the existence of Orange lodges in Her Majesty's Army is forbidden by the Regulations of that Force, he will inquire whether such a lodge exists in the 2nd Battalion of the King's Own Yorkshire Light Infantry, now or recently stationed at Quetta?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): There is no information on this subject at present at the War Office, but the Commander-in-Chief in India has been requested to make inquiries.

MR. T. D. SULLIVAN: If I give the right hon. Gentleman fuller details and particulars in reference to the matter—in confidence, of course—will he cause an inquiry to be made?

*MR. E. STANHOPE: Certainly, Sir; I shall be very glad to cause inquiries to be made if the hon. Gentleman will give me any details on the subject.

MR. JOHNSTON (Belfast, S.): Does the right hon. Gentleman think that a Roman Catholic Nationalist is likely to know anything about an Orange lodge?

*MR. E. STANHOPE: I shall be glad to receive information upon the subject from whatever source it may come.

THE REV. HANDLEY BIRD, MISSIONARY AT CORINBATORE.

SIR J. KENNAWAY (Devon, Honiton): I beg to ask the Under Secretary of State for India whether his attention has been called to a sentence passed upon the Rev. Handley Bird, a missionary, at Corinbatore, on 12th March, of six months' imprisonment, by the Brahmin District Munsiff, for alleged breach of an injunction, in respect of a convert, to convert one Appu Row, who was in his house, which sentence was confirmed and made binding by Mr. Irvine, the District Judge, who, as stated in the *Eastern Star* of 28th March, absolutely refused to listen to arguments of the defendant's counsel, but abused him, and called him a born idiot, and emphasised his opinions of the plaintiff, his counsel, and missionaries in general; and whether the facts are as stated in the *Eastern Star*; and, if so, whether he will take speedy measures for remission of the sentence?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): A Report has been received from the Government of Madras. It appears that the guardians of a Brahmin boy obtained an injunction in the Munsiff's Court forbidding Mr. Bird to remove the boy from the jurisdiction of the Court pending the result of a trial as to his custody. The boy disappeared, and the Munsiff committed Mr. Bird to prison for contempt of Court. The District Judge, however, while upholding the committal, released Mr. Bird on his undertaking to produce the boy; and the boy having been produced, the order for committal was quashed. Mr. Bird was actually in gaol for one night only.

Sir J. KENNAWAY: The right hon. Gentleman has not answered that part of the question which relates to the language alleged to have been used by the District Judge. Was such language used?

Sir J. GORST: No, Sir. I am unable to give any information upon that point. The Government of Madras have not telegraphed the exact language used by the District Judge.

THE STRAITS SETTLEMENTS.

Lord HENRY BRUCE (Wilts, Chippenham): I beg to ask the Under Secretary of State for the Colonies why the War Office and Colonial Office combined have increased the yearly payments of the Straits Settlements from 236,600 dollars to 615,000 dollars; whether the increased garrison, promised to the colony in return, is proportionate to the increased payment demanded; whether his attention has been drawn to the statement of Governor Sir Cecil Smith, K.C.M.G., in his Despatch to the Secretary of State for the Colonies, dated 19th February, 1890—

> "I found myself wholly unable to conscientiously support the justice of all the claims which Her Majesty's Government had made, and the same views which I held were shared in by every Member of my Council. My instructions, however, were perfectly clear, and I had to require each Member of the Executive Council to vote against his conviction in support of the claims of Her Majesty's Government";

and whether the Government, when apportioning the just contribution the colony should pay towards the Mother Country, will take into consideration the fact that it is an important Imperial coaling station, and of Imperial vitality to Great Britain?

The UNDER SECRETARY of STATE for the COLONIES (Baron H. de Worms, Liverpool, East Toxteth): The recent decision to increase the military contribution payable by the Straits Settlements was not that of any particular Department, but of Her Majesty's Government. It is not admitted that 236,600 dollars was the full sum formerly payable. The increase has been from £50,145 to £100,000. The force paid for by the colony under the Agreement of 1871 was one wing of an Infantry regiment and one battery of Artillery, or about 561 of all ranks, while the force on which its present contribution is calculated is about 1,500 of all ranks, exclusive, in each case, of staff and departments. The increase of the force charged for has, therefore, in the view of Her Majesty's Government, been about 167 per cent., while the increase in the contribution is only about 100 per cent. I have, of course, seen the Despatch referred to by my noble Friend. The amount of military contribution to be paid by the Straits Settlements has been already decided by Her Majesty's Government, and he will find the material facts and arguments on the subject set forth in the Papers recently presented to Parliament (C. 6,220.)

METHYLATED SPIRITS.

Mr. O'NEILL (Antrim, Mid): I beg to ask the Chancellor of the Exchequer if he is now prepared to state what steps are to be taken to prevent the use of methylated spirits as a beverage?

The CHANCELLOR of the EXCHEQUER (Mr. Goschen, St. George's, Hanover Square): The Board of Inland Revenue intend to render methylated spirit sold by retail more nauseous in character. They also intend, when there is reason to believe that methylated spirit is being purchased from any retailer for potable purposes, to cause such retailer to keep a stock account, giving the date of sale and quantity sold on each occasion, together with the name and address of the purchaser, and, if any such purchaser be known to be using the methylated spirit as a beverage, the vendor will be warned that proceedings will be taken against him for recovery of the fine of £100 under Section 130 of the Spirits Act, 1880, if he continues to sell methylated spirit to the said purchaser. I can assure the hon. Member that every possible precaution will be taken to put a stop to the practice.

THE SASINE OFFICE, EDINBURGH.

MR. FRASER-MACKINTOSH (Invernessshire): I beg to ask the Secretary to the Treasury whether he is aware that certain of the engrossing clerks in the Sasine Office, Edinburgh, complain of exclusion from the benefits of the Act of 1879, although holding appointments prior to its date; and whether he will lay upon the Table Copies of the Correspondence on the subject which took place in the years 1879 and 1880, between the Treasury and the Keeper of the Register of Sasines, and the Report of the Committee appointed in 1888, which reported favourably on the claims of these clerks?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): Engrossing clerks in the Sasines Office, Edinburgh, are temporary copyists paid by the folio. They are allowed to compete, with a special addition of 10 years to the maximum limit of age, for vacancies on the permanent establishment. They are not excluded from any benefit which the Act of 1879 was intended to grant them. I cannot consent to lay on the Table the Departmental Correspondence relative to the organisation of the Sasines Office. The Report of the Committee of 1888 is confidential; it is addressed to the Secretary for Scotland, and not to the Treasury.

LUNACY REPORTS.

DR. FARQUHARSON (Aberdeen, W.): I beg to ask the Secretary of State for the Home Department whether it will be practicable for the Commissioners in Lunacy to append to future issues of their Reports a table showing the causes of death of all lunatics dying in all lunatic asylums, public and private, in registered lunatic hospitals, and in workhouses in England and Wales?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed by the Lunacy Commissioners that no Returns are made to them as to deaths of lunatics in workhouses, and they have no power to call for them. They

Mr. Goschen

have considered, and will again consider, whether they can, and how soon, insert tables showing the causes of death in lunatic asylums, registered hospitals, and licensed houses; but this would involve much additional clerical work, and the existing staff is already hard pressed owing to the great increase of work cast upon it by the operation of the Lunacy Act, 1890.

PLEURO-PNEUMONIA.

MR. LENG (Dundee): I beg to ask the President of the Board of Agriculture whether he is aware that Dr. Wray, a representative of the United States Bureau of Animal Industry in this country, has disputed the alleged cases of contagious pleuro-pneumonia in American cattle landed at Deptford, and asserts that eminent British authorities agree with him that the animals were only suffering from catarrhal pneumonia, and whether any further information can be given to the House respecting these cases?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): I am not aware that Dr. Wray, a representative of the United States Bureau of Animal Industry in this country, has disputed the cases of pleuro-pneumonia landed at Deptford, and asserted that eminent British authorities agree with him. I have no information upon the subject beyond an extract from a New York paper, which the hon. Member has been good enough to send me himself. I do not know that I can add anything to what I stated in reply to the hon. Member for Forfarshire a week ago. I may mention perhaps that, in addition to the experts at the Board of Agriculture, the lungs have been seen by Professor Walley and Professor M'Fadyean, both of them being eminent authorities and members of the Edinburgh Veterinary College, and also by Mr. Holmans, an officer of the Board at Deptford, who has had over 30 years' experience of the examination of foreign cattle, and none of these gentlemen, I am informed, have the slightest doubt on the subject.

LONG HOURS OF WOMEN'S WORK.

MR. J. WILSON (Lanark, Govan): I beg to ask the Lord Advocate whether the attention of the Secretary for Scot land has been called to recent statements made in the public Press of Glasgow regarding the long hours during which women, other than domestic servants, are compelled to work in restaurant kitchens, the sanitary conditions under which they work, and the consequent injury to their health; and whether their case is covered by the Factory Acts, the Workshops Acts, or any other existing legislation of a like character; and, if not, whether the Government will consider the advisability of introducing legislation to meet their case?

*The LORD ADVOCATE (Mr. J. P. B. Robertson, Bute): The Secretary for Scotland has no knowledge of any such statements as are referred to in the question. Restaurant kitchens are not workshops under the Factory and Workshops Act, but any complaint as to their sanitary condition may at present be dealt with under the Public Health Acts. I do not, therefore, see any necessity for introducing legislation on the subject.

OCCASIONAL LICENCES.

Sir W. LAWSON (Cumberland, Cockermouth): I beg to ask the Secretary of State for the Home Department whether he is aware that lately six licensed victuallers applied to the Paignton Magistrates for occasional licences to sell intoxicants at the Paignton Hunt Races, and, having failed to obtain licences from the Bench in open Court, subsequently obtained them from Lord Churston acting independently of the Bench; and whether he will consider the expediency of legislating to prevent Magistrates acting in this isolated manner?

Mr. MATTHEWS: I have seen a newspaper report of this case, from which I gather that the two Justices who composed the Bench could not agree, and the licences accordingly were not granted. The solicitor for the applicants informs me that before leaving the Bench the Chairman said that if the applicants could obtain the signature of another Magistrate, he should raise no objection. The Legislature has recently provided, by 26 & 27 Vict., that the consent of one Justice of the Peace only, instead of two, shall be necessary for these occasional licences, and I do not think it would be for the public convenience to go back to the former provisions of the law.

JUSTICES' CLERKS.

Mr. COBB (Warwick, S.E., Rugby): I beg to ask the Secretary of State for the Home Department whether he is aware that the Justices for the Ross Petty Sessional Division of Herefordshire have recently appointed a debt collector, who is not a lawyer, as their clerk; and that the new clerk so appointed served for 14 years as assistant to the former clerk; whether the appointment has been made in consequence of "special circumstances," under the 7th section of "The Justices' Clerks Act, 1877," and, if so, what such special circumstances are; whether he is aware that the Magistrates who are in the habit of attending the Bench are exclusively, or almost exclusively, clergymen or military men, but none of them lawyers, and that such appointment of the new clerk has caused dissatisfaction, and even indignation, among the inhabitants in the district; and whether he will represent to the Chairman of the Bench that it is desirable that the clerk should be a trained lawyer.

Mr. MATTHEWS: I have made inquiry into this matter, and I am informed that the recently-appointed clerk was not a debt collector, and that he has been continuously employed for upwards of 20 years in attendance at Petty Sessional Courts, and for 16 years as assistant to the clerk of a Petty Sessional Division. The appointment was made under the 7th section of the Act quoted. The Justices inform me that they have always found him an excellent legal authority, and considered him much to be preferred to any other applicant. There is only one clergyman on the Bench, and he is a County Magistrate of long standing, and I am assured that the appointment has met with general approbation in the district. I am not aware of any circumstances which would justify me in making any representation to the Chairman of the Bench on the subject.

MERCHANDISE MARKS ACT.

Mr. LABOUCHERE (Northampton): I beg to ask the Secretary of State for the Home Department whether he is aware that Mr. Herbert John Greenhalgh, who was found guilty, in December, 1888, on the prosecution of the Extra Hard Cotton Spinners' Association, of having, with intent to defraud, and contrary to the provisions of "The Merchandise Marks Act, 1887," sold goods marked outside with a mark which signified that there were a greater number of yards of yarn contained in the parcels thus marked than were contained, is at present a Justice of the Peace at Mansfield, and sits on the Bench, and administers justice; and whether it is the intention of the Lord Chancellor to take any steps with regard to this Magistrate?

MR. MATTHEWS: I am informed by the Lord Chancellor that he has no knowledge of the circumstances referred to; but if the hon. Member will be good enough to inform me where the trial took place, and where a report of it can be found, I will communicate that information to the Chancellor, who will, no doubt, make inquiry into the matter.

SAMOA.

SIR T. ESMONDE (Dublin Co., S.): I beg to ask the Under Secretary of State for Foreign Affairs if it is true that the United States Government have ordered an additional warship to proceed at once to Samoa; if any British warship is at present stationed there; and if he can state how many German war vessels are at Apia?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): According to our latest information, there are no British, United States, or German men-of-war at present at Samoa. The hurricane season is only just over, when it is dangerous to keep ships there.

DOMINICA.

SIR T. ESMONDE: I beg to ask the Under Secretary of State for the Colonies if he will state what was the answer made by Her Majesty's Government to the protest of the Elective Members of the Dominica Assembly against the carriage, by the Governor's casting vote, of the Motion for the further loan of £10,000 for public works, in July, 1890; and what was the explanation offered by the Governor to the Secretary of State for the condition of the public works of the island as summed up in that protest?

*BARON H. DE WORMS: No answer was made by Her Majesty's Government to the protest of the Elective Members of the Dominica Assembly, referred to in the question. The Governor, in a message to the Assembly immediately after the protest, gave a full explanation of the condition of the public works of the island. The explanation is too long to be embodied in an answer in the House, but a copy of the message can be seen by the hon. Baronet at the Colonial Office.

MEDIUM POSTCARDS.

SIR G. CAMPBELL (Kirkcaldy, &c.): I beg to ask the Postmaster General if he is doing anything towards introducing a medium postage card, such as is used in all other countries, instead of the very thick and very thin cards hitherto used in this country?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): Postcards were sold originally of one thickness only, and the stouter card was introduced to meet the demand for a second and better quality. I am not at present contemplating the introduction of a card of medium thickness, but I may mention that the present stout card —sold in packets of 10 for 6d.—is growing in favour, and is, to some extent, taking the place of the thin card. It therefore seems scarcely necessary to introduce a new variety thinner than the favourite card.

FUNDED DEBT, &c.

SIR W. HARCOURT (Derby): I beg to ask the Chancellor of the Exchequer whether he will state what are the figures for 31st March, 1891 (1) of Funded Debt; (2) of Capital Value of Terminable Annuities; (3) of Unfunded Debt; (4) Exchequer Balances; (5) Aggregate Net Liabilities of State; in accordance with the form of National Debt Return, No. 343?

MR. GOSCHEN: The figures asked for by the right hon. Gentleman are as follows: — (1) £579,472,082; (2) £68,496,365; (3) £36,140,079; (4) £6,370,897; (5) £679,922,370.

PREFERENTIAL TREATMENT TO COLONIES.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the Under Secretary of State for Foreign Affairs whether France, Germany, Spain, Portugal, and Holland, as a rule, admit the productions of their several colonies on better fiscal terms to the Home market than the goods of foreign nations; and whether their colonies also receive the products of the Mother Country upon equally advantageous terms?

SIR J. FERGUSSON: As regards France, Spain, and Portugal, the answer to both questions is in the affirmative. In Holland there is no Import Duty upon sugar and coffee coming from any quarter, and these are its chief colonial staples. We have no information as to the German treatment of colonial produce.

BERLIN LABOUR CONFERENCE.

SIR W. HOULDSWORTH (Manchester, N.W.): I beg to ask the Under Secretary of State for Foreign Affairs whether, in view of the fact that a Bill to carry out the recommendations of the Berlin Labour Conference is at present before the German Reichstag, and that draft Bills for the same object have been prepared and published in Spain and Austria, he will cause further inquiries to be made as to measures of the same kind being contemplated in other countries which were represented at the Conference?

SIR J. FERGUSSON: Despatches have already been addressed to Her Majesty's Representatives in the sense desired.

PORTUGAL AND SOUTH-EAST AFRICA.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for Foreign Affairs whether he can state what is the present position of the negotiations pending between Her Majesty's Government and the Government of Portugal with a view to the averting of collisions such as have recently occurred in South-East Africa between Englishmen and the Portuguese authorities, and to the adjustment of the territorial claims of the two countries?

SIR J. FERGUSSON: A draft Convention was recently submitted to the Portuguese Government, counter proposals have been received from them, and are under consideration by Her Majesty's Government. The Portuguese authorities, having been instructed not to offer any opposition to communications between the East Coast and the interior, there does not appear to be any danger of further collisions?

MR. BRYCE: Am I right in saying that the *modus vivendi* expires in about a fortnight?

SIR J. FERGUSSON: Yes, Sir; I think on the 15th of May.

THE BLOCK IN THE LAW COURTS.

MR. KIMBER (Wandsworth): I beg to ask the First Lord of the Treasury when he expects to be able to announce the conclusions of the Government as to the appointment of an additional Judge or Judges, or as to what other means they will take to obviate the grievous delays, and consequent losses and anxieties, in obtaining justice to which suitors are exposed?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): It is no doubt a very general opinion, in which the Government are disposed to concur, that an additional Judge is required in the Chancery Division, but I am not prepared to say at what time the state of Public Business will enable the Government to submit a Motion on the subject. Meanwhile, efforts are being made to diminish the pressure of causes by the assistance of Judges of the Queen's Bench Division, where lists are in a satisfactory condition.

THE IMPRISONMENT OF MR. WALSH.

MR. T. M. HEALY (Longford, N.) I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Mr. Walsh, of the *Cashel Sentinel*, on the expiration of his four months' sentence, was re-arrested outside Tullamore Gaol on a warrant which the police withheld executing for four months; that Mr. Walsh was conveyed to Clonmel Gaol, and, after six days there, re-conveyed to Tullamore to undergo his first sentence of three months; that he was then treated as if he were beginning a new term of imprisonment not consecutive on the previous term, and put on the plank bed; and whether this interpretation of Rules 19 and 36 of Prison Rules was sanctioned by the Government?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I am informed that it was the case that the prisoner was re-arrested on the expiration of the first sentence. The second warrant could not be executed before, because the prisoner was at the time undergoing imprisonment for another offence. The General Prisons Board report that the prisoner has been treated in the manner described in the last part of the first paragraph of the question, that treatment being strictly in accordance with prison rules.

MR. SEXTON (Belfast, W.): If it had been one sentence of seven months' imprisonment instead of two, one of four months', and the other of three, would not Mr. Walsh have been entitled to some relaxation? Will the right hon. Gentleman take into consideration the hardship of treating this gentleman as if there were two offences?

MR. A. J. BALFOUR: There were two separate investigations and two separate sentences.

DR. TANNER (Cork Co., Mid): Was not the second sentence pronounced against Mr. Walsh during the time he was in prison upon the first sentence?

MR. A. J. BALFOUR: I cannot answer that question.

MR. SEXTON: My point is, that after a certain term of imprisonment, a man is entitled to relaxation. This man having suffered one term of imprisonment is entitled to relaxation now upon the second sentence.

MR. A. J. BALFOUR: I understand that he was convicted of two separate offences, each of which was independent of the other.

MR. FLYNN (Cork, N.): May I ask why Mr. Walsh was conveyed to Clonmel Goal instead of Tullamore?

MR. A. J. BALFOUR: The hon. Member must give notice of that question.

PRESENTING A REVOLVER.

MR. BLANE (Armagh, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a man, named Malcolm Turkington, presented a revolver at a number of people on the public road near Lurgan on the 20th instant, and afterwards presented a revolver, on the same day, at a woman, named Mary Hendron, and that, although she complained to the authorities at Lurgan, and requested informations against Turkington, her request was refused; whether Turkington had a licence to carry firearms; and if he would inquire into the matter?

MR. A. J. BALFOUR: I understand that this man's defence is that he was attacked by a crowd, was twice struck with stones, and was obliged to draw a revolver in self-defence. The Magistrates did not refuse Mary Hendron's request, but granted permission to her to take out a summons, and the case will be investigated on the 5th May. Pending that investigation, it would not be proper for me to enter into any particulars.

MR. BLANE: Is it a fact that Turkington had no licence to carry firearms?

MR. A. J. BALFOUR: I cannot enter into details.

LABOURERS' COTTAGES IN ATHLONE.

MR. DONAL SULLIVAN (Westmeath, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that an inquiry was held in the Athlone Workhouse on the 9th of last March, in connection with the erection of labourers' cottages; that since then all the necessary forms required by the Act for the building of those dwellings have been completed; what is the cause of the delay in their erection; whether the Local Government Board would put pressure on the Guardians to compel them to give immediately to the labourers the small plot of ground attached to each cottage, so as to enable them at once to till their ground and sow their little crop; and whether he is aware that, up to the present, not a single labourer's cottage has been erected in the Athlone Union?

MR. A. J. BALFOUR: I am informed that it is the case that the Guardians of Athlone Union have presented a Petition for the confirmation of an improvement scheme under the Labourers' Acts. The matter is in the hands of the Local Government Inspector for report. Action on the part of the Guardians must await that Report. I believe that up to the present time no cottages have been erected under the Acts in the Union.

PIER AT HOLYWOOD.

Mr. M'CARTAN (Down, S.): I beg to ask the President of the Board of Trade with reference to the proposed pier at Holywood, County Down, whether, considering the default of the late undertakers, he has fixed any period of time within which the present purchasers of the pier are obliged to put it into repair; and whether he is aware that, notwithstanding the lapse of almost two years since the purchase, no steps have yet been taken in the matter?

*The PRESIDENT of the BOARD of TRADE (Sir M. Hicks Beach, Bristol, W.): I am aware that, during the period of nearly a year and a half which has elapsed since the purchase of the pier, nothing has been done by the purchasers, although their attention has been called to the matter by the Board of Trade. I have no authority to compel persons who obtain powers under Provisional Orders, or their successors, to exercise the powers conferred on them, and I therefore could not fix a period as suggested. It may, indeed, be a question whether, having regard to Section 12 of the General Pier and Harbour Act of 1862, the powers to repair the pier, given by the Order of 1882, have not now expired.

LAND COMMISSION—BELFAST.

Mr. 'M'CARTAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will state how many appeals were disposed of by the Land Commission during its last sitting at Belfast; and in how many cases were the judicial rents fixed by the Sub-Commission confirmed, reduced, and increased respectively?

Mr. A. J. BALFOUR: The Land Commissioners report that there were 110 appeals listed for hearing at their last sitting in Belfast, which were disposed of as follows:—Judicial rents affirmed, 52; ditto raised, 22; ditto reduced, 4; dismisses affirmed, 3; Sub-Commission decisions reversed and originating notices dismissed, 5; Sub-Commission decisions reversed and fair rent fixed, 2; again referred to Sub-Commission to fix fair rent, 4; withdrawn and settled, 15; adjourned, 3—total, 110.

LAND COMMISSION—WEXFORD.

Mr. J. BARRY (Wexford, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the Chief Land Commission has appointed 3rd June next to hear appeals from the decisions of the Sub-Commission for County Wexford; if he is aware that there are upwards of 100 appeals listed from the Poor Law Union of Wexford aloue; and whether, considering the enormous expense and inconvenience of bringing the tenants and their witnesses to Dublin, he would suggest to the Land Commission the desirability of hearing these appeals in the Assize town of Wexford?

Mr. A. J. BALFOUR: The Land Commissioners report that their present arrangement to hear appeals from the County Wexford is as stated in the first paragraph. No cases have yet been listed, the papers being in the hands of the Court Valuer. So soon as the list is formed the Commissioners will carefully consider whether, having regard to their other public engagements and the number and character of the holdings concerned, it would be for the public convenience to have a sitting in Wexford.

BELFAST GOAL.

Mr. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can state what decision has been arrived at with reference to the alterations at Belfast Gaol?

Sir E. HARLAND (Belfast, N.): I beg also to ask the right hon. Gentleman if anything has yet been decided as to the removal back or otherwise of the portion of new wall in front of the prison in Belfast?

Mr. A. J. BALFOUR: The matter is still engaging the careful attention of the Government, and they are not without hope that the question at issue will be settled by the acquisition of more land.

Mr. SEXTON: Will the right hon. Gentleman bring the power of the Irish Executive to bear upon the matter, and have it determined in one way or the other before the Vote comes on.

Mr. A. J. BALFOUR: It is not so simple a matter as the hon. Gentleman supposes. My attention has been drawn to the subject by the Prisons

Board; but there are many difficulties in the way of settling it offhand. I have taken great pains about it.

LAND PURCHASE BILL.

MR. J. MORLEY (Newcastle-on-Tyne): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will lay upon the Table of the House a statement of the number of holdings of different classes in Ireland to which Clause 6 of the Land Purchase Bill will apply, and on which he has formed the estimate that £95,000,000 would suffice for their purchase?

MR. A. J. BALFOUR: Probably the right hon. Gentleman will have gathered from an answer which I gave on a previous occasion that the data which I have been able to obtain are not of such an authentic and certain character as to make this a proper subject of Parliamentary Return. I did give conjectural information in answer to a question, but I do not think it would be proper to put it into a more definite shape.

THE PENNY POSTAGE JUBILEE.

SIR T. ESMONDE: I beg to ask the Postmaster General when the letter carriers of the Dundrum, County Dublin, Post Office, will be allowed the day's leave and the day's pay promised last year to the post boys of the United Kingdom in commemoration of the Penny Postage Jubilee?

*MR. RAIKES: I find that, through a misunderstanding on the part of the Local Authorities, only a part of the letter carriers at Dundrum have been granted the Jubilee Holiday. The misunderstanding has now been corrected, and those who have not had the holiday already will have it granted them without further delay.

OTTER FISHING IN LOUGH DERG.

SIR T. ESMONDE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that persons have been earningt heir livelihood for the past 25 years upon Lough Derg, County Tipperary, by "otter" fishing, without the authorities taking any steps to prevent them; that no other kind of cross fishing is possible on Lough Derg; and that no notice was given this year prior to the issue of licences of any change of the old custom; and whether, under the circumstances, the authorities will allow the continuance of "otter" fishing, or else refund the money paid by the fishermen for the licences?

MR. A. J. BALFOUR: The Inspectors of Irish Fisheries are not aware that any persons have been earning their livelihood by "otter" fishing on Lough Derg; but they state that it is the case that the practice of taking out licences for crosslines and using the "otter" has existed for upwards of 20 years. It is, however, not the case that no other kind of cross fishing is possible.

FINANCIAL RELATIONS BETWEEN IRELAND AND GREAT BRITAIN.

SIR T. ESMONDE: I beg to ask the Chancellor of the Exchequer when the Committee of Inquiry into the financial relations between Ireland and Great Britain will sit?

*MR. GOSCHEN: So far as the Government are concerned, and some of the right hon. Gentlemen opposite, we are perfectly ready for the appointment of the Committee in question, and have been ready for some time. There is no reason why the Committee should not be appointed as soon as the Members for Ireland give notice through the ordinary channel of the names to be appointed.

MR. SEXTON: I presume that the right hon. Gentleman is sensible of the inconvenience of the delay arising from the non-appointment of the Committee.

*MR. GOSCHEN: We have been ready for some time; but I understood that the matter was mainly in the hands of the hon. Member himself. I will put the Committee on the Paper.

MR. A. O'CONNOR (Donegal, E.): Will all the information promised by the Treasury be furnished before the Committee meets?

*MR. GOSCHEN: Yes, Sir; that will be done; but it would be irregular to circulate any information on the subject before the first meeting of the Committee. A meeting will have to be held *pro formâ*, to authorise the circulation of the information.

FEVER IN RANAFAST.

MR. A. O'CONNOR: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with reference to his statement on Thursday last, that fever does not exist in Ranafast, and that, though an outbreak of scarlatina had occurred in the Dungloe Dispensary District, it was practically over on the 25th March, whether he is aware that the dispensary doctor did attend 11 cases of fever in Ranafast on the 21st instant, eight of them being scarlet fever cases; and that two brothers from a neighbouring townland, who died suddenly of scarlatina, were buried on the 21st instant; whether, seeing that his previous information was incorrect, he will cause further inquiry to be made through fresh channels; and whether he requires to see the doctor's certificates in confirmation of the above statements?

MR. A. J. BALFOUR: My reply of the 16th inst. referred to in this question was in accordance with a Report dated 13th inst., and correctly represented the facts at that time. The later cases of scarlatina, which were 10 in number, exclusive of the two deaths on the 19th, were visited by the dispensary doctor on the 21st inst. for the first time. In addition to these, he found three cases of fever of a mild type, believed to be influenza. It is also understood there is one case of some months' standing, which has developed into typhoid fever. There appears to be no ground to suggest that these cases of illness were in any way connected with distress.

MR. A. O'CONNOR: Will the right hon. Gentleman cause further inquiry to be made as to the allegation that the official sent down instead of visiting 11 houses to which his attention had been specially drawn confined his visit to two of them which were convenient to the high road?

MR. A. J. BALFOUR: The information which I have given was derived from the dispensary doctor.

DR. TANNER: Arising out of the right hon. Gentleman's answer, are we to understand that the dispensary doctor has asserted that a case of scarlatina absolutely developed into typhoid fever?

MR. A. J. BALFOUR: The hon. Member must only understand what I said.

MR. MAC NEILL (Donegal, S.): Does the dispensary doctor say that these cases of typhoid fever are unconnected with the distress which exists in the locality?

MR. A. J. BALFOUR: I do not profess to be a medical expert; but I have always understood that scarlatina and typhoid, or any other kind of fever, were altogether independent of distress.

THE LABOUR COMMISSION.

DR. TANNER: May I ask whether it will be practicable for the Royal Commission on Labour to meet on Wednesday next, or when?

*MR. W. H. SMITH: I have no information on the subject, and the matter has passed entirely out of my hands.

ADULTERATED MANURES.

MR. CHANNING (Northampton, E.): I wish to ask the President of the Board of Agriculture when he proposes to bring in a Bill to deal with the question of adulterated manures?

MR. CHAPLIN: I am unable to answer the question at present.

MR. CHANNING: Will it be before Whitsuntide?

MR. CHAPLIN: I cannot say.

ARMY AND NAVY EXPENDITURE, 1890-91.

Copy ordered—

"Of Return showing the Net Estimated and Actual Expenditure for the year 1890-91 on the Army and Navy, and the provision made for it, in the form of Parliamentary Paper, No. 200, of Session 1890."—(*Mr. Jackson.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 199.]

FINANCIAL STATEMENT (1891-92.)

Copy ordered—

"Of Statement of Revenue and Expenditure as laid before the House by the Chancellor of the Exchequer when opening the Budget."—(*Mr. Jackson.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 200.]

NEW MEMBER SWORN.

Sir James Bain, knight, for the Borough of Whitehaven.

PRIVATE BILL PROCEDURE (SCOTLAND) BILL COMMITTEE.

Ordered, That Dr. Clark, Mr. Flynn, Sir Julian Goldsmid, and Colonel Malcolm be discharged from the Committee.

Ordered, That Mr. Campbell-Bannerman, Mr. Hozier, Dr. Farquharson, and Mr. Sinclair be added to the Committee.—(*Mr. Akers-Douglas.*)

ORDERS OF THE DAY.

WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed,

TEA.

"That, towards raising the Supply granted to Her Majesty, the Duties of Customs now chargeable on Tea shall continue to be levied and charged on and after the first day of August, one thousand eight hundred and ninety-one, until the first day of August, one thousand eight hundred and ninety-two, on the importation thereof into Great Britain or Ireland (that is to say) on—

Tea . . . . the pound . Four Pence."
—(*Mr. Goschen.*)

(4.15.) SIR W. HARCOURT (Derby): In the long and very interesting speech which the Chancellor of the Exchequer addressed to us on Thursday night in introducing his financial proposals for the year, the right hon. Gentleman touched upon a large number of subjects which, no doubt, were fully deserving of the attention and inquiry of the House, and upon one or two of those subjects, as well as upon the general scope of the right hon. Gentleman's financial system, I would ask leave now to make a few observations. Before I go into any general matters I wish to draw the attention of the Committee and of the right hon. Gentleman to one statement that he made, which is so surprising that it appears to be impossible to reconcile it with the figures contained in the official Returns relating to the subject—I mean the statement with reference to what has been done in the way of the reduction and extinction of Debt. The right hon. Gentleman said that he had made large reductions in the Debt during his administration—much larger reductions, he proceeded to prove, than had been effected by his predecessors in office. Well, of course, the right hon. Gentleman ought to have made large, and even very much larger, reductions than his predecessors, for this reason—that, by the operation of the Sinking Fund, the sum payable for interest becomes less year by year, while the margin of Revenue applicable for the redemption of the Debt becomes larger. It must also be remembered that, in consequence of the right hon. Gentleman's successful operations in connection with the conversion of the Debt, the annual interest on the Debt has been reduced by £1,500,000. And that is not all. In addition to that, the right hon. Gentleman has had enormous sums, amounting in the whole to something like £8,000,000, due to the old Sinking Fund, which arose from the realised surpluses of his estimates. The sums derived from these various sources which were applicable to the reduction of the Debt have, therefore, enabled him to make a very considerable reduction in the amount of the Debt.

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): There has been an increase of balances.

SIR W. HARCOURT: I am not going into the question of balances; but in olden times the balances were entered as an asset to be taken against the Debt. I always thought that that was an unsound principle of calculation, and I was fortunate enough to convince the Chancellor of the Exchequer, who decided that they were no longer to be taken as a balance of Debt, but were to be put in a separate column by themselves. The balances may come into the reduction of Debt next year by anticipation; but I only mention the matter by the way. The Chancellor of the Exchequer has stated that during the last five years, quite apart from the operation of the Terminable Annuities, he has effected a reduction in the Debt of £37,000,000. Upon that point I must ask the right hon. Gentleman to give the Committee some explanation of the figures upon which he bases that statement, because it is certainly not supported by any figures contained in the official Returns, and it would be a serious matter to have a conflict as to the National Debt in the Budget and the Debt shown in the Returns. In making his calculations the right hon. Gentleman quite fairly omitted the years 1885-86 and 1886-87, seeing that there was exceptional military expenditure in those years, and that he himself was responsible for the Estimates in the latter year. The right hon.

Gentleman took the four years before and the four years after the exceptional period; but he ought not to have taken the year 1880-81 for the reason already stated, that the arrangements of 1881 were those made by Sir Stafford Northcote before the Dissolution. The Chancellor of the Exchequer ought to have begun with the year 1882, and have taken the four years up to and including 1885. In the earlier four years the right hon. Gentleman says the total was £27,200,000; and the difference was £3,600,000 in favour of the present year. There is in existence a means of testing these statements. Two or three years ago I was anxious to have fuller Returns respecting the National Debt than any the House then possessed, so that it might be seen exactly what has been done from year to year, and particularly how much Debt has been wiped off, and how much created. The Return was prepared in the most careful way by Mr. Edward Hamilton and Sir C. Rivers Wilson; and I will take from it the figures for the two sets of years, and see how they tally with those of the right hon. Gentleman. The figures show that the net reduction of Debt was—for 1888, £5,225,000; for 1889, £6,428,000; and for 1890, £8,200,000. For 1891 the amount does not appear upon the Return, but it can be ascertained from the figures the Chancellor of the Exchequer has just given, and the amount is £6,100,000. The total for the last four years was £25,953,000, or, in round numbers, £26,000,000. This is the amount which the Chancellor of the Exchequer puts at £30,800,000. For the earlier four years the figures of the Return are as follows: — 1882, £6,940,000; 1883, £6,776,000; 1884, £8,900,000; 1885, £7,273,000; total, £29,889,000, or, in round numbers, £30,000,000, as against £26,000,000. The comparative result is exactly the reverse of that stated by the right hon. Gentleman, and so far from showing £3,600,000 in his favour it shows £3,600,000 in favour of the former Government. Unless these figures are erroneous, so far from the right hon. Gentleman having, with enormously greater resources and with a diminished interest to pay, done more for the reduction of the Debt than any one else under the system established by Sir Stafford Northcote, he has done less by the amount of £3,600,000. The resources referred to are the under-estimates of Revenue through which the old Sinking Fund in these four years have amounted to £8,000,000, which means that he has raised £8,000,000 more than was wanted. In the former four years the excess was £1,500,000 as compared now with £8,000,000, or a difference of £6,500,000; and if this has been raised it ought to be shown in the Debt operations; but it has disappeared. May I ask how and where it has disappeared? The Budget speech was a long speech—I do not say that it was too long—but it was necessarily long under the new patent system of finance which has overthrown all the old English traditions. It is not one Budget giving an account of Imperial finance for the year, which raised the money for the year and closed the account at the end of the year; but the right hon. Gentleman had to deal with three Budgets—first, what may be called the old English Budget; next, the new-fangled Continental "Extraordinary" Budget; and lastly, the Local Subsidy Budget. These are new things, and even those most familiar with the subject find it impossible to understand the Public Accounts and Public Finance at the present time. The great security for economy and sound financial administration has always in this country been that you provide the money you think you would want for the Services of the year; at the end of the year you closed the account, and if there had been more money raised than was required, you returned it to the Exchequer. In short, you closed the account, and began a fresh account the next year. That was the great security of English finance, and it was one which had been carefully built up by great masters of finance. It has been jealously guarded by the appointment of the Auditor General and other officers, who see that the principle is observed; whenever that principle has been departed from the departure has been severely attacked, and the departure has been condemned in past days by none more severely than by the present Chancellor of the Exchequer. The first effect of the present multifarious system of accounts is confusion, and, if the Chancellor of the Exchequer will excuse me for saying so, considerable difficulty in explaining the accounts. I have endeavoured to follow the right hon. Gentleman's figures in the House and in print, but I confess that the difficulty of understanding them becomes greater the more they are explained. The right hon. Gentleman has delivered paper after paper, not one of which it is possible to reconcile with the other. I have endeavoured with my friends, the right hon. Members for Wolverhampton (Mr. H. H. Fowler) and Bradford (Mr. Shaw Lefevre), who are very familiar with these subjects, but we cannot make any one of these accounts square with the other, and it is necessarily so. The Chancellor of the Exchequer has created four accounts—the Australian Establishment Account, the Imperial Defence Account, the Naval Defence Fund, and the Barrack Fund. Every one of these Funds has been raised out of different sources, to be paid at different times on money borrowed on different conditions. The extraordinary part is that the expenditure was to take place at certain times, and has not so taken place; the money has not been provided in the manner intended; if anybody endeavours to make head or tail of the Expenditure he will fail, and I doubt whether even the Chancellor of the Exchequer understands it. Some of the right hon. Gentleman's statements certainly cannot be made to correspond with the Papers he has delivered. I do not say that the right hon. Gentleman has endeavoured to hold anything back, still less that he has endeavoured to misrepresent anything. With the greatest courtesy the right hon. Gentleman has endeavoured to give all the information in his power. It is the system he has introduced which has created such confusion that he himself is not able to clear it up. I am extremely sorry to have seen this departure from all the principles on which English finance has hitherto been governed—principles of action and of account which were established by Sir Robert Peel, Sir George Lewis, and by my right hon. Friend the Member for Mid Lothian. [Mr. W. E. GLADSTONE: We have now changed all that.] It is an extremely dangerous thing in an old-established firm to alter its system of book-keeping, and to begin to proceed upon new-fangled principles altogether. We have seen some consequences of that sort of thing lately in the City, and I would be sorry to see the same principles tried upon the old firm of the English Treasury. All these things are very ingenious, but ingenuity is not what is most wanted in dealing with finance. You do not want a number of small devices for escaping the fact that you are spending more money than you have got; and, instead of wrapping up the fact that you require to spend more than you have, you should come forward and say so, borrowing the money upon the ordinary credit of the English nation. That is the process which has before been followed, and it ought to be adhered to, instead of saying when £2,500,000 is wanted, "We are not borrowing it; nobody will have to pay for it; nobody will feel it; we will put it some years hence upon the proceeds of the Suez Canal." This is a process which has hitherto been unknown to English finance, and the *Economist*, a paper not unfriendly to the right hon. Gentleman, says that he has

> "Descended to arts which are humiliating to English finance, and which belong rather to the finance of bankrupt South American Republics."

The right hon. Gentleman says that £2,500,000 will not come out of the taxes. I should not have thought that a man with the logical capacity of the right hon. Gentleman would have descended to so transparent a fallacy as that. If, instead of putting it upon the Suez Canal, he had put it upon the increased value of the leases upon the Crown estates when they fall in, can it be said that nobody would have felt the burden? Does not everybody see that five years hence, when £500,000 a year comes in from the Suez Canal, the people of that time will have to pay £500,000 more in taxes than they would had this mortgage not been made upon them? Having added this extraordinary Budget to the old English Budget, the right hon. Gentleman has added a new head of "local subsidies." The first observation I would make upon those subsidies is that they add immensely to the confusion of the public accounts. The right hon. Gentleman has removed the confusion in one respect, but it is impossible to make out what is the real produce of the taxes. But there is a much more serious consequence than that. The right hon. Gentleman has diverted from the Exchequer a stream which would have filled his reservoirs with £4,000,000, which he has given away. I said he had given it in relief of rates. We have it on the authority of the Minister of Agriculture that the relief of rates in the rural districts all went to the landlords. I admit that the Chancellor of the Exchequer told us that he had not settled quite in his own mind how much of the relief in urban districts went to the occupier and how much to the owner, and I do not pretend to settle that point. But what might the Chancellor of the Exchequer have done with this £4,000,000 if he had kept it? He might have taken 1d. off the Income Tax; have removed all, or nearly all, that remains of the Tea Duty; and he might have taken off what remains of the Inhabited House Duty. All this would have been a relief to the landowner, who would have been more benefited by 1d. reduction in the Income Tax than by all he gets from the rates. Towards the end of his speech the other night the Chancellor of the Exchequer asked, "Am I to have a surplus?" From the many principles known to English finance, the answer ought to have been in the negative. A surplus in any given year is an excess of receipts over payments, of Revenue over Expenditure. If your Revenue exceeds your Expenditure you have a surplus, but if your Expenditure exceeds your Revenue you have a deficit. Now, what was the situation of the right hon. Gentleman this year, and what was it last year? Did his Revenue exceed his Expenditure? No; his Expenditure exceeded his Revenue, and he had had a deficit last year, and the right hon. Gentleman's Expenditure this year is to be, as I will show, in excess of the Revenue he has got, and neither last year nor this year has he, or will he have, a surplus. How did the right hon. Gentleman get this surplus last year? By the figures the right hon. Gentleman has given it is easily made out; he borrowed between £3,000,000 and £4,000,000 of money last year. The Unfunded Debt is increased by £4,000,000. The right hon. Gentleman borrowed £3,500,000 last year in order to obtain a surplus of £1,750,000; if he had not borrowed he would have had a deficit of £1,500,000. The old Sinking Fund is operated upon in a way which I will call the Chancellor of the Exchequer's "new way of paying old debts." What is the right hon. Gentleman going to do this year? He is going to borrow something like £3,000,000; he has got an Expenditure beyond what he provided for in the Revenue of the year. The right hon. Gentleman has said that £2,140,000 would be spent on naval defence. I think that the First Lord of the Admiralty would be very much surprised if that is all he is to get to spend on naval defence.

*Mr. GOSCHEN: All that is borrowed.

Sir W. HARCOURT: The right hon. Gentleman did not say that in his speech.

Mr. GOSCHEN: I thought I had stated with absolute clearness that I was speaking of money which was borrowed.

Sir W. HARCOURT: Nothing could be further from my desire than to misrepresent the right hon. Gentleman; but I think that if we substituted the word "borrowed" for the word "spent" in the Chancellor of the Exchequer's speech we might make something of it. Having borrowed £2,000,000 the right hon. Gentleman will have a surplus of £2,000,000; if he had not borrowed it he would have a deficit of £1,000,000. That is the way of getting a surplus in in this new-fangled mode of English finance. It is like getting a banker to put £1,000 to one's account in order to pay Christmas bills, and then treating that £1,000 as a surplus, whereas the money has been borrowed, because without it the account would have been overdrawn. That is what I would call not salvation finance, but the milder term of *post obit* finance. All these systems are ingenious shifts to make people believe that the finances are in a very flourishing state. In order to pay our way we are obliged to borrow £3,500,000 at a time when the Revenue is in a condition of prosperity such as has not been enjoyed for a long time. I maintain that this system of finance is extremely mischievous, and tends to hide from the people what is the real condition of things. It is mischievous in its present effects, and in my opinion it is much more mischievous in its future consequences; because we may depend upon it that this easy going system of finance, which, in the time of Mr. Hudson, was known as "making things pleasant," is an encouragement to every species of extravagance; it teaches people that they may spend what they like, as tradesmen tell young gentlemen they need not pay now, they can pay at some future time. How has the right hon. Gentleman obtained the surpluses of which he is so proud? Of course, he has been greatly aided by the prosperity of the time, and he has been largely aided in concurrence with that prosperity by the magnificent opportunity of which he has taken so able and skilful advantage, in the Conversion of the Debt. But with all this assistance, out of what have the surpluses been made? The first has been made by cutting down the fund for the reduction of the Debt; the second by borrowing £3,500,000; and the third is made by borrowing £3,500,000 again. At this time of piping prosperity that is the way in which the right hon. Gentleman makes his surplus. How is it, with all these advantages of good trade and reduced interest on the Debt, that the right hon. Gentleman has no money to give away in reduction of taxation? Well, the right hon. Gentleman has impeached his colleagues who sat beside him as the robbers of the Queen's Exchequer. But the right hon. Gentleman himself is one of that long firm; he is the colleague who carries the bag, and without his consent and participation this burglary could not be effected. It often happens that it is the domestic servant who opens the door for the plunder of the house; and that is the situation which the Chancellor of the Exchequer must have been content to fill in this matter. Of course, the first cause why the right hon. Gentleman has nothing to give away is the enormous increase in the Naval and Military expenditure of this country. The right hon. Gentleman has increased this expenditure not upon the Estimates of the Liberal Government, but upon his own, by £3,000,000 a year since 1889; that is the ordinary increase under the Naval and Military Estimates, besides £17,000,000 extraordinary. That is the real ground and foundation of the financial situation; it is all nonsense talking about a Sinking Fund and paying off debt when we are borrowing. Lord Beaconsfield talked of "bloated armaments." I wish we could get back to the bloated armaments which Lord Beaconsfield used to denounce. Are these swollen Estimates the result of the experience and judgment of the Government itself? I know that hon. Members opposite go up and down the country saying that if there is an increase it is due to those miserable Liberals who have run down those establishments. How has the money been spent? When the Chancellor of the Exchequer came into office in 1887 he had full knowledge of how things stood. In 1887, in his Budget speech, the right hon. Gentleman said that the extra charge was due to that which is commonly known as the naval scare. The right hon. Gentleman did not expect at that time that he was going to have a naval scare by which £17,000,000 would be added to the ordinary expenditure. The right hon. Gentleman said in his speech in 1887 that the House had agreed to an extra expenditure of £3,000,000 on ships, and £1,600,000 on the Army. The right hon. Gentleman went on to say that the Estimates had been increased temporarily, and that he hoped that at the end of the financial year they would have effected a large diminution in the heavy charges which had been made on the taxpayers owing to exceptional circumstances. Only three years ago he said—

> "There is good reason to hope and believe that the time is not far distant when the Navy Estimates will not require to be swollen by exceptional items, such as these, which have fallen as heavily on the taxpayer of the last few years."

Our expenditure then was, in fact, exceptionally heavy, and the Chancellor of the Exchequer expressed confidence that in the future it would be lighter. That was only three years ago. Let the right hon. Gentleman now go to the country and say that the present increased expenditure is due to the running down of the establishments by the Liberal Government, and see what answer he will get. He said three years ago that the expenditure of the Governments which preceded him had been exceptionally large, owing to the naval scare, but he pledged his opinion that the Navy Estimates would in the future be much lower. For a time he reduced the Estimates to the extent of nearly £1,000,000. Yet it is said that this present great increase is due to the fact that we ran down the establisments, which he himself subsequently depleted to the extent I have mentioned. The statement is absolutely untrue, and I hope it will not be repeated. The Government may think that the extraordinary expenditure they have demanded is necessary, and they may think that the country supports them in it. Then, if so, why do they not prove it by asking the country to pay for it, instead of doing, as Sir Stafford Northcote did—namely, "spreading" it, for which he was denounced by the present Chancellor of the Exchequer as a cowardly financier. By the system under which the Chancellor of the Exchequer is now dealing with these matters, it is quite impossible to check the accounts year by year—to ascertain accurately what is received and spent in any one year. For the first time we have unexpended balances carried over from one year to another, a practice which our whole system of finance was intended to prevent. The result is that various matters are mixed up which ought to be kept separate, and it is impossible to trace the accounts satisfactorily—to tell how much has been paid, or for what, or how much has been borrowed. As to the statement that you are borrowing for permanent works, I deny it, for, in fact, you are borrowing for things of comparatively brief duration. The cost of sites for post offices you have the courage to liquidate every year. You do not borrow for them. The right hon. Gentleman was determined to have a surplus, whether he had the money or not, and it is for this reason that he has introduced the novelty of unexpended balances into English finance. But if these things are done in the piping times of prosperity, what is going to be done in hard times? If such things are to be done in the fat years which the Chancellor of the Exchequer has had, what will be done in the lean years? That is a consideration which I think the Committee ought to bear in mind. How has most of this money been obtained? By borrowing, and the Unfunded Debt has been increased by £4,000,000. I do not leave out of consideration the reduction in the Funded Debt. I fully recognise that; but the right hon. Gentleman, I believe, shares the objections I feel to a great increase of the Unfunded Debt of the country. It has always been the resort of lax finance, the Unfunded Debt has always been a resource to weak financiers. Now, in the Budget of 1887, the right hon. Gentleman said the Treasury bills which already existed were, to his mind, on too large a scale, the Floating Debt then being £15,000,000; yet in the past four years the debt has been increased by £20,000,000, and now stands at £36,000,000, according to a Return which I received this morning from the right hon. Gentleman. I am aware that a considerable portion of the sum is in the hands of the Public Departments or the National Debt Commissioners; but with the £3,500,000 which the Chancellor of the Exchequer will borrow the Unfunded Debt will be no less than £40,000,000 at the end of the present year, a sum which it has never reached during the past half century. What was the position of the Unfunded Debt in 1874? When the Government of Lord Beaconsfield came into office in 1874 the Unfunded Debt stood at £4,000,000; when they left office it was £27,000,000. Sir Stafford Northcote at that time thought the sum inconveniently large, though it was £10,000,000 less than at present. He therefore began to reduce it by means of terminable annuities, and the right hon. Gentleman the Member for Mid Lothian afterwards funded a portion of it. It was thus reduced to £14,000,000 or £15,000,000, but has now been increased, as I have said, to £36,000,000. I know that in relation to the conversion operations a considerable portion of the money has been raised, but that does not do away with the objection of this great weight of Unfunded Debt. I think the right hon. Gentleman will admit that this is not a desirable state of things. It is not because you have to pay more interest; very often you have to pay less, but I think the right hon. Gentleman has had a somewhat different experience during the last 12 months. In my time I have got money for 1½ per cent. I doubt very much if he has been able to get it at less than 2¾. I object, however, that a large Floating Debt of this kind, especially upon short terms like the Treasury bills, makes the Chancellor of the Exchequer a money dealer in the

Money Market, thus placing him in a position which he never ought to occupy. The right hon. Gentleman has let the cat out of the bag on one point. Why, instead of using the money of the Sinking Fund to pay off the Floating Debt, did he use it by preference to pay the Consols? Because Consols are so low, he says. He is evidently a little tender on that subject, and I assure him I will consult his feelings. He is the godfather of the new Consols, they go by his name, but, like many other infants, they have not fulfilled all that was promised and vowed in their name. The right hon. Gentleman told the people who took the Consols that they would be worth par, and by a certain amount of adroit manipulation they were kept at par for a time during the period of conversion, but they very soon fell below, and for the simple reason that nothing can for any length of time be kept up above its real market value. That is briefly the reason of the present price of Consols. The right hon. Gentleman may say that they have fallen in the commercial distress, or because there has been such a number of sales of Consols. He has said, moreover, that Trustees will not invest in Consols, and he addressed to them a touching appeal. He talked of those patriotic Consols which their forefathers desired to be a provision for their daughters. But these patriotic Consols are the old Three per Cents. Our forefathers never considered the condition of Consols reduced, if I may so describe it, to a vulgar fraction. Sydney Smith talked of the "sweet simplicity of the Three per Cents.," but now that they are reduced to 2¾, ultimately to sink to 2½, it is difficult to calculate what their value may be here or hereafter. All the sacredness and simplicity has departed from Consols, and the unfortunate daughters, who one day will become old maids, will look rather to a solid debenture which will give them a permanent 3 per cent. than cling to Consols reduced to a vulgar fraction. That is really the reason why the right hon. Gentleman is so afraid of being obliged to put Consols on the market which he thinks the market is not likely to absorb. I was very glad to hear the right hon. Gentleman say he is going to undertake the restoration of light coin. But the Chancellor of the Exchequer told us last year that he had impounded the profit which he got on the silver, and that he had made a permanent fund for that purpose. He got £600,000 for it last year, and he has got £400,000 this year; and I should be glad if the right hon. Gentleman will tell the Committee that he means to appropriate both those sums for the purpose. I think it will cost nearly £1,000,000 to accomplish the task. There is one subject I feel more delicacy in addressing the Chancellor of the Exchequer upon than even Consols, and that is the brewers. With regard to the right hon. Gentleman's argument against taking the tax off the brewers, I can assure him that the argument addressed to the Opposition side of the House was not necessary; as far as I can see, to the brewers it was not satisfactory. The brewers are disappointed, and no wonder. Why, what was his argument when the Opposition fought him on the compensation proposals? It was said he was going to compensate out of the taxation of the people. He replied, "No such thing; we are going to compensate out of the money of the brewers;" and he used that argument in his Budget speech. We on the Opposition side thought at the time that that was a perfectly unsound financial argument. We said that money paid by the brewers or anybody else was money that belonged to the Exchequer, and that it could not be ear-marked as belonging to a particular class. Therefore, to talk of the money being paid out of the fund of the brewers was entirely a financial error. I am very glad that we have converted the Chancellor of the Exchequer, because he has adopted our argument in contradiction of his own. He says—

> "It is argued that this additional tax falls not on the consumer but on a particular and limited trade; but I am unable to admit that plea, because if that were so I think we should never be able either to reduce or increase the tax."

That is a complete contradiction of his argument when we were battling with him on the compensation clauses. The right hon. Gentleman, in calculating the future progress of the Revenue, used a rather singular phrase, to which I must demur. He said that last year the House entered into a partnership with him as to the taking of low Estimates.

The House enters into no partnership with the Chancellor of the Exchequer upon Estimates of Revenue. The House has no means of forming an opinion upon the subject at all. I will go even further, and say that the Chancellor of the Exchequer can not himself form an Estimate of the Revenue. Those Estimates are formed by the experienced officers of the Department, who form them just as a surveyor forms an estimate of the value of land, and that is the only foundation of the Estimates of Revenue. But the right hon. Gentleman, who is not content unless he is innovating in everything, has produced a new system for estimating Revenue. He lays down a certain percentage for increase of population, which is to form a sort of rule of thumb standard, applicable to each article of Revenue—a thing unheard of before. Now, it is a remarkable fact that in his Budget of 1887 the right hon. Gentleman founded his claim to cut down the Sinking Fund applicable to the reduction of the Debt on the experience of the last 10 years, which showed that there was no elasticity in the Revenue. He drew a dismal picture of what had been, and what was likely to be, and his special ground was that the growth of Revenue anticipated by Sir Stafford Northcote was absent, and that it did not now rise in proportion to the increase of population. The Estimate of the Revenue ought to be founded upon the expectations of the particular year and nothing else, and to lay down a rule that we are to give any percentage to increase of population is in my opinion, thoroughly unsound. I protested at the time against the right hon. Gentleman's dismal prognostications and against his reduction of the Fund. From the moment he began reducing the Sinking Fund the Revenue rose, and the right hon. Gentleman still keeps on reducing the Fund although the Revenue has risen. The Estimates must be taken on the responsibility of the Chancellor of the Exchequer alone. We cannot enter into a partnership with him, as we have no means of forming a judgment on the matter. As to the destination of the surplus, all I can say is I am extremely pleased, from whatever source it comes, that it should be bestowed on free education. I am one of those who stood by my right hon. Friend the Member for West Birmingham in the election of 1885. I stood by the programme of free education. I can say no more upon that subject until I see the Bill, and until I know what is to be done, and how it is to be done. What I desire, apart from the correction of erroneous statements, is to call attention to the extraordinary innovation which the right hon. Gentleman has made in the financial business of this country, to the extreme revolution he has made in all those safeguards which have been considered most essential to secure the solidity of the finance of the country. I desire most earnestly to protest against the financial policy of shifts and devices.of the character which the right hon. Gentleman has adopted. Will the right hon. Gentleman forgive me if I allude to one other criticism made by the *Economist* newspaper? They say, and they say truly, that the pretext upon which this extraordinary Budget has been founded has broken down; and so it has. The pretext was that a great expenditure was suddenly required, and the money must be instantly found, and that therefore the payment must be spread over a long period. What is the fact? In June last my right hon. Friend the Member for Bradford asked how much money the Navy were going to spend upon contract ships. A Parliamentary Paper was delivered, stating that they were going to spend £5,500,000, whereas as a fact they spent little more than £3,000,000. They could not spend the £5,000,000 that they pretended and doubtless intended to spend. The right hon. Gentleman said that we had misrepresented the transaction. How could we when we had the official document stating that £3,000,000 out of the £5,500,000 had been spent? What does this show? It shows that the pretext of the necessity for suddenly raising money was utterly unfounded. I consequently entirely concur in the criticism that the pretext on which this extraordinary Budget was founded has entirely broken down. This system of finance is unfortunate, and we ought to protest against it in order, if we can, to prevent it in the future. The right hon. Gentleman protested against something of the sort 12 years ago, and I protested with very great force, and, I hope, with some effect. At that time there was far more excuse for what was done than that which the right hon. Gentleman now possesses. The foreign policy had involved the Government of Lord Beaconsfield in great difficulties, and Sir Stafford Northcote proposed to spread a very small sum of money, as the right hon. Gentleman is now proposing to spread a very large sum of money. And what did the right hon. Gentleman say as to the action of Sir Stafford Northcote? The right hon. Gentleman said then, what I say now. He said—

> "The fact is that the House has lost power as to the expenditure of the country through the introduction of this distinction between ordinary and extraordinary expenditure. While they hunted with the hounds they ran with the hare; and after singing 'Rule Britannia' at Conservative dinners all over the country, they came down and talked of public economy. He would turn from the Budget of the right hon. Gentleman to his financial policy. Fortunately it would be described in a very few words. It simply postponed the excess of expenditure liability over income to a future date; it renewed bills, it prolonged liabilities. The right hon. Gentleman told the House that he had put these liabilities not entirely out of sight because it would be unheroic and mischievous, but so far out of sight that they need not look at them unless they liked. It might be an unpopular thing to say, but it was better for the cause of economy and for the good of the country that we should pay off our burdens by taxation and not stave off payment to a future day. Cheerfulness on the part of the country to make the necessary sacrifice would prove patriotism most valuable to Her Majesty's Government, while to impose taxation would have shown what confidence they had in the resources of the country. But the Government had shrunk from that test. There was an exhibition of an apparently strong policy carried out by a weak man; he did not mean a man intellectually weak, but wanting in the nerve and courage to face unpopularity. They had shown want of confidence in the willingness of the country to bear the burdens which were the result of the policy of the Government."

Later on the right hon. Gentleman said—

> "I know the state of commercial gloom. I know what pinching there is in many households, but I hope, and still believe, you are willing to bear your share of the burden, to uphold old English principles, and to say—'Do not let us be financial cowards, but let us pay our way like men.'"

The right hon. Gentleman said that the country was willing to bear its burdens, and he declared against financial cowardice, and in fact the right hon. Gentleman protested, as I protest, against this shabby, flabby policy. Ought I to read the last extract from the speech? It shows, at all events, that we were at the time entirely in accord. The last words were—

> "To use the witty expression of my hon. and learned Friend the Member for Oxford, peace with honour on tick is not a policy for an English statesman to adopt."

These were the financial proposals and policy against which the right hon. Gentleman protested in 1879, and it is against the same policy that I protest in 1891.

*(5.36.) MR. GOSCHEN: I rise with a chastened spirit, having listened to the speech of the right hon. Gentleman. I appreciate the right hon. Gentleman's authority in these matters. He has been Chancellor of the Exchequer, though not for very many months, and he distinguished himself by proposing to suspend two little Sinking Funds to meet a deficit of £500,000. That is the unique performance of the right hon. Gentleman. I shall be prepared to meet the speech of the right hon. Gentleman; but, having occupied the time of the House at great length on Thursday, I do not wish to inflict myself again at too great length, or too often, on the attention of the Committee. But I had notice some time ago that a far superior authority than the right hon. Member for Derby intended to arraign my finance. In the celebrated speech of the right hon. Member for Mid Lothian (Mr. W. E. Gladstone), at Hastings, he said—

> "There is much more to be said with regard to finance than I intend to say on this occasion."

I hope that if the challenge is to be fought out at all, it will be fought out now, and, as I am the person challenged, I should prefer to follow the right hon. Gentleman rather than to be followed by him.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I do not know to what words of mine reference is made by the right hon. Gentleman. In my speech at Hastings I made certain references to finance, and I said, also, that there was much more that might be said on the finance of the right hon. Gentleman. If the allegations I made at Hastings are contested I shall defend them. I never gave any indication at Hastings as to any course I intended to pursue on the present occasion. I have listened to the speech of my right hon. Friend, and my impression is that the Chancellor of the Exchequer need not go far afield, for there is a pretty tough business before him in meeting the statements of my right hon. Friend.

*Mr. GOSCHEN: I hope, then, that I may understand that, as I was the attacked party in the speech of the right hon. Gentleman, which has been repeated, travestied, and burlesqued on many platforms, I now know the worst from the right hon. Gentleman. If, then, the right hon. Gentleman considers that all has been said that is necessary, I will proceed to the speech of the right hon. Gentleman the Member for Derby (Sir W. Harcourt). The attacks which he has made are on small points, on details, and on principles. The right hon. Gentleman appears to gloat over the reduced price of Consols, and he has never ceased to harp upon that. The Member for Mid Lothian has with greater magnanimity never tried to diminish the value of the conversion to the country, or to affect its credit by holding up to Consol-holders that their prices have fallen, but the right hon. Member for Derby has five or six times tried to irritate them, pointing to the Chancellor of the Exchequer, as if to say, "It is he that is your enemy and has done you this bad turn." I do not consider that to be a device of one really interested in the finance of the country. The right hon. Gentleman must know, as every man of business knew, that the fall was to a great extent temporary. Does he not know that all securities had fallen? The right hon. Gentleman referred to the price as 96, but they stood at 98 for a very long time after the conversion. Is not all this done to weaken the effect of that great operation for which the right hon. Member for Mid Lothian had always been willing to give the fullest credit to Her Majesty's Government? This is a kindred point to another which was made by the right hon. Member for Derby, namely, the question of the Funded and Unfunded Debt. The right hon. Gentleman talked about the "gross extent" to which the Unfunded Debt had been increased; but no embarrassment can be caused to a Government when a very large portion of the Unfunded Debt is held by the National Debt Commissioners. To say that the Unfunded Debt has been increased from £15,000,000 to £36,000,000 is to create a false impression; because from £7,000,000 to £8,000,000 is the whole increase of the Floating Debt held by the public; and, on the other hand, we have paid off £24,000,000 of Consols in cash. Was it not worth while to incur this slight increase in the Floating Debt as a means of paying off £24,000,000 of Consols in cash? The right hon. Gentleman has remarked that the circumstance of the increase in the Unfunded Debt is a proof of weak finance.

Sir W. HARCOURT: My objection to the increase in the Unfunded Debt is to that portion of the increase that has been incurred this year.

*Mr. GOSCHEN: The right hon. Gentleman has attacked me, in the first place, for borrowing the money, and, secondly, for the method in which the money has been borrowed. The right hon. Gentleman, in dealing with the second point, has asked why the money has been borrowed on Treasury bills instead of in the ordinary way. I have borrowed the money in the way I have done because I am anxious to repay it as soon as possible. If I had borrowed the money for a temporary purpose by means of Stock I should have been open to the very opposite charge, namely, that I had increased the Debt without making any provision whatever for paying off the increase. Certainly it is one of the first duties of a Chancellor of the Exchequer to make provision for paying off any increased Debt. The right hon. Member for Derby spoke throughout, and, in his eloquent peroration—borrowed from myself—to which, however, the right hon. Gentleman lent an additional charm, as if everything had been raised by loans and no efforts put forth or appeal made to the patriotism of the people of this country to meet the increased expenditure upon the Army and Navy out of the taxation of the year. The right hon. Gentleman, however, appears to take no notice of the very strong point that the ordinary Estimates have been largely increased, and that Her Majesty's Government up to the end of the year 1889 asked the taxpayers to pay more in each year than was actually spent. The right hon. Gentleman the Member for Mid Lothian has characterised the surpluses of 1888, 1889, and 1890 in the first place as fraudulent, and subsequently as fictitious; but year after year there have been satisfactory and perfectly genuine surpluses—a fact, perhaps, which was not very agreeable to the right hon. Gentlemen opposite.

MR. W. E. GLADSTONE: I spoke of the surplus of last year only.

*MR. GOSCHEN: But it has been stated all over the country that the right hon. Gentleman charged the Government with having fictitious surpluses in the plural, and I can assure him that I greatly prefer that attacks should be made upon my financial policy in this House, where I can answer them, than elsewhere, where misapprehensions cannot be so readily corrected. I now am to understand, therefore, that the epithet "fictitious" was applied not to the surplus as of 1888, 1889, and 1890, but merely to that of 1891. In listening to some of the speeches that have been delivered by right hon. Gentlemen opposite people might suppose that the system of extending the re-payment of money borrowed over a lengthened period had never been countenanced or adopted until the unfortunate individual who now fills the office became Chancellor of the Exchequer; but I may say the Barracks Bill is an exact copy of the Localisation of the Forces Act, which was passed when the right hon. Gentleman the Member for Mid Lothian was Prime Minister. The principle of not paying off the whole of the expenditure incurred within the year is the same in both cases, and if the surplus of 1890-1 is fictitious because I have adopted that principle, the surpluses which the right hon. Gentleman the Member for Mid Lothian dealt with in former years were equally fictitious. Would anyone who heard the speech of the Member for Derby believe that the taxpayers of the present year are actually paying for an amount of money borrowed in former times by a Government of which the right hon. Gentleman the Member for Mid Lothian was a member? If I had created "converted annuities," what would have been said of the phrase? and yet there are some £600,000 of these converted annuities chargeable to the taxpayers for expenditure incurred for the fortification loans of many years ago. It has been established by precedent that it is lawful, Constitutional, and not unusual that expenditure on certain works of a permanent character should be postponed over a certain number of years; and though I bow humbly to the strictures of the right hon. Gentleman, I think if he had appealed to precedent I should have been relieved from the charge of having introduced a fresh system in this matter. I come now to the question of the Imperial Defence Loan, where the Suez Canal Shares are expected to find money three or four years hence. When I read the *Economist* of Saturday, I said to myself "I know now the exact speech which will be made by the right hon. Gentleman." I have not been disappointed. The speech was an expanded and eloquent version of the article, but still it is that article. Although I often agree with the *Economist*, I must say that the language it has used on this subject is absurd, because it speaks as if the Suez Canal Shares interest were hypothecated in the sense of being offered to the holders of the bills separately as a pledge, as if it were necessary for the security of the transaction. If the editor had referred to the Act he would have seen that that is not the case: and, indeed, it is almost absurd to suggest such a thing as probable. It appears to me to be perfectly legitimate to deal with the future interest of this windfall, for it is a windfall, and it has been an extremely valuable one.

SIR W. HARCOURT: I thought it was a great act of policy.

*MR. GOSCHEN: The buying of the shares was an act of policy, and the windfall is that they have become so much more valuable than was anticipated. It was not believed at the time that the shares would be so valuable, and I say it is no more contrary to good policy to say that the interest upon them should be devoted to extinguishing Debt so many years hence, than it is to say the same with regard to the annuities that have been created by the right hon. Gentleman the Member for Mid Lothian in accordance with the constant method of Imperial finance. If I had personally introduced some of this complicated system of annuities — deferred, postponed, and rolling —I wonder what the right hon. Gentleman would have said? What we have done in the case of the Suez Canal shares is a simple operation, and it is perfectly defensible. All that has been done is that an Act has been passed providing that the future interest to be received shall be devoted to the extinction of this Debt. There is very little room for difference of opinion on the matter, and certainly no cause for censure. Coming to the Naval Defence Act, the right hon. Gentleman seemed to be perfectly incapable of understanding what we mean by the policy we have adopted. I conceive that the right hon. Gentleman is not a good accountant. He has many excellent qualities, but he gets hopelessly befogged occasionally when he gets amongst figures. What has been the origin of the fog into which some right hon. Gentlemen have got with regard to these Naval Defences? The origin of the difficulty was a Return moved for by the right hon. Member for Bradford (Mr. Shaw Lefevre) in as confused a form as could possibly be conceived. There was some difficulty in agreeing to the form in which the right hon. Member desired to have it, because it was one that was certain to lead to every kind of confusion. The right hon. Member for Derby has just said that very frequently Returns do not agree with each other; and the reason is that Members who move for them have got, I will not say fads, but views to which they desire to give effect. They accordingly move for Returns in conflicting forms. The Government weakly gives way rather than be charged with desiring to conceal something; and then it is said that the Returns do not agree with each other. What was this famous Return of the right hon. Member for Bradford? It was a Return of Expenditure divided into various items so as to show the Expenditure out of Revenue and the Expenditure out of borrowed money. In quoting some of the items the other evening, I did not always use the phrase "out of borrowed money," as I ought to have done in order to avoid misapprehension. I thought I had been clear enough; and I hope that if I did mislead the right hon. Gentleman the Member for Derby, it was only for a moment.

Sir W. HARCOURT: The Expenditure given in the Returns of my right hon. Friend the Member for Bradford is the actual estimated Expenditure. It cannot be meant to be the estimated Expenditure from borrowed money. It is £2,000,000 in excess of the Estimates altogether.

*Mr. GOSCHEN: I see that the right hon. Gentleman does not yet understand the Return. On the first page you have the whole Expenditure both from borrowed money and from income. The right hon. Gentleman does not understand the form of the Return, because he read an amount of estimated expenditure without observing whether it was to be out of borrowed money or out of other money. And now as to the substance—this is a point upon which I ask careful attention —a point of substance. Here we estimated that a large amount would have to be paid for contract ships. But, says the right hon. Gentleman, "You ought to have spent the whole of that out of revenue." That is the *gravamen* of his charge——

Sir W. HARCOURT: Spent out of revenue? Paid out of revenue you mean.

*Mr. GOSCHEN: Paid out of revenue. The gravamen of the charge is, we ought to have paid the whole of that Estimate out of Revenue. Well, if that had been proposed what would have happened? The right hon. Gentleman must know that a Chancellor of the Exchequer cannot always estimate this expenditure with accuracy. The Admiralty makes the best Estimate they can. They had 70 contracts out and they estimated as well as they could what they would have to pay on them in the year. I believe in all these cases delivery will have to be made by a certain date; therefore, although they have paid less in the course of the last financial year, that does not prove that the ships will not be delivered at the date they have been contracted for. This is an important point. What would have happened if we had not taken the power of spreading the expenditure over a certain number of years? According to the right hon. Gentleman we ought to have provided out of taxation the whole of the expenditure set out in this Return.

SIR W. HARCOURT: No, the amount you spend within the year.

*MR. GOSCHEN: But you want to know what you are going to spend within the year. Let us clear up this point. The Return was made in June, my Budget is brought in in April. I had notice from the Admiralty that a certain amount would probably be spent on contract ships during the course of the year, and according to the view of the right hon. Gentleman it was unheroic for us not to ask the people to pay for this from taxation. Whether he says "Yes" or "No," that is the charge made —we ought to pay the expenditure of the year out of the taxes.

SIR W. HARCOURT: Just the same may be said of dockyard work, it is the same thing there.

*MR. GOSCHEN: The right hon. Gentleman has been a short time at the Exchequer, but he has not been at the Admiralty, and he does not know the difficulty of making Estimates as to work put out to contract. The Estimate is made before the beginning of the year, and in the case of the Admiralty there must be a very large margin for the uncertainty connected with contracts. The case of work in the dockyards is not in point. Ought we to have asked the House of Commons to pay over the total amount which, according to the best view the Admiralty could take at the time, would be required for contract work during the year? If we had done so we should have had to ask the people for £2,500,000 which would not have been required, and which would have gone into the Sinking Fund at the end of the year. Does that commend itself to the view of the right hon. Gentleman? At all events we know where we are. Is the charge against us that we have been remiss in not asking for money because we did not take from the pockets of the people £2,500,000 more than would have been required? We did not ask for money which it turns out was not wanted and could not be spent in the year. The right hon. Gentleman says, "You must not carry over," and that is another of the grave charges he has preferred. It is quite true that the Government have carried over a balance on the dockyards. If we had not carried over that balance, what would have been the result? In the past, when a certain amount of money has been voted to the Admiralty, an attempt has been made to spend it in the year, and the great difficulty has been to keep the Department to spending as much money upon fresh construction as the House intended to devote to it. According to the old system, if the money voted was not spent on fresh construction, the Admiralty said, "We had better spend it on repairs — the ships are sure to be wanted." This has been the experience of all Boards of Admiralty in the past. But now the Admiralty are so tightly held that if they do not spend the money upon construction they have to pay it over, so that it may go to reduce the cost of construction in the following year. That appears to me to be a very businesslike mode of proceeding, and one which, although it is new, has tended to economy in the work of the dockyards. The right hon. Gentleman shakes his head, but I say it is unwise to give a certain amount of money for the use of a Department with such elastic duties as the Admiralty, putting them under the temptation, I may say, of spending within the year money which they do not require, and a large amount of which we should have to provide out of taxes. Now I turn to another point. The right hon. Gentleman and others seem to ignore the fact that we did impose additional taxation under very trying circumstances to meet increased demands for the carrying out of our naval programme, and when the right hon. Gentleman says we have been "flabby and shabby," one would think we had not done anything in the way of imposing taxation. When we established our naval programme we imposed taxes by spreading annuities over seven years, and no person will have to pay more taxes in respect of those annuities except those upon whom this new taxation has already been placed. We have practically raised by taxes the whole amount required for our ship building programme. Where, then, is the charge of the right hon. Gentleman that we have done nothing but borrow? We have raised from the people as much as we thought necessary for the purpose, throwing the expenditure over a limited number of years, and arranging that the balance shall be so carried forward that there shall be a certainty of the wishes of Parliament being carried out. The result has justified our expectations. The dockyards have built what was intended to be built, and the money has not been uselessly raised to pay to contractors instalments which have not become due. With regard to the general increase in the Army and Navy Estimates—and that is a battle which we have fought before—I hold that the necessities for the defence of the country and the cost of the Services cannot simply be argued by a given standard, but must depend upon the political situation, and a vast number of other considerations. In 1888 we submitted a programme to the House: it was generally approved by Members, including a good many Members on the other side; and of all the charges levelled against the Government, the one to which in fairness they are least exposed is the charge of attempting to hide their expenditure. The right hon. Gentleman has acquitted me and my colleagues of any intentional design of the kind; but it has been said by another right hon. Gentleman opposite that it is better to spend £5,000,000 than to hide the expenditure of £1,000,000.

Mr. W. E. GLADSTONE: I never spoke of the intention of the right hon. Gentleman and of the Government. I spoke of the fact. My opinion is that in the mode of proceeding there was a multiplication of the accounts and a complication of the arrangements which had the effect of withdrawing the fact from the cognizance of the House and of the public.

*Mr. GOSCHEN: We now know precisely what is to be understood, but if the right hon. Gentleman will do what I know is very disagreeable, if he will read his own speech over again, he will see that the whole passage in question conveyed to his hearers, though against his intention, that the Government were deliberately attempting to hide away a portion of their expenditure. Such words as "fraudulent" lend themselves to such a suggestion. The right hon. Gentleman did not say that? "No," he said, "I would say fraudulently obtained, but that I do not want to be personal."

Mr. W. E. GLADSTONE: I applied it to the circumstances.

*Mr. GOSCHEN: Now I understand the view of the right hon. Gentleman that we are entirely acquitted of a desire to hide the expenditure. We never had any motive for hiding it. Last year I defended the expenditure of the Government, and it is the last thing we should wish to withdraw from the cognizance of the Committee. If the accounts are too complicated, then I am willing to devote every possible attention to the simplification of the accounts. I agree with the right hon. Gentleman the member for Derby that there is nothing more to be desired than the simplification of the accounts, and if there is anything further to be done in that direction, I will undertake it. The right hon. Gentleman said the pretext of the Budget has broken down.

Sir W. HARCOURT: For the extraordinary Expenditure.

*Mr. GOSCHEN: The Budget instead of breaking down has been abundantly justified, because when so large a sum has to be spent among so many contractors it is impossible to say how much will be spent each year, and it is equalised over a certain number of years. The right hon. Gentleman has again twitted the Government with regard to their local subsidies in relief of local taxation. I suggest to the right hon. Gentleman that it is right that the public should know how much money is given to the Local Authorities. Under the old system it was not known at all. The money was given away in the Estimates and was never discussed. We ran up million after million in these local subsidies, but they were never brought before the eye of the House; and far from having complicated the situation, I have simplified it by introducing a system which makes it necessary that it should be stated how much has been given to, and is received from, Local Authorities. We have given £3,000,000 or £4,000,000, not only to the ratepayers, because there are a certain number of other objects — Technical Education, Free Education in Scotland, Police Superannuation, and a number of other matters, which have been accomplished within those £4,000,000. That the right hon. Gentleman omitted to state, although he must know that the

House has over and over again pledged itself—I admit, against the views of the right hon. Gentleman and others—that the ratepayers should be assisted. It was a legacy we inherited, and I am perfectly certain that the great bulk of hon. Gentleman opposite would have joined in any Vote that would have emphasised the neglect of the poorer ratepayers in towns if we had not proceeded in the direction we did. But I think that on the whole it is too late in the day to discuss that question. Now, having disposed of the more formidable charges, I come to what the right hon. Gentleman has said about the framing of Estimates. The right hon. Gentleman has strongly protested against the House being supposed to associate itself with the Chancellor of the Exchequer in his estimate of future Revenue. Now, I think the right hon. Gentleman might have remembered that it was more in a humorous than a serious vein that I spoke of the House having associated itself with me by a responsive cheer, and I think the House understood the attitude I took. Of course, I was not pressing home the partnership to the extent the right hon. Gentleman has suggested. When I spoke of partnership, I did not speak of partnership in a particular Estimate, but of association in the view that Estimates should be framed with caution. We frame our Estimates upon the view that the situation shows a tendency to be stationary, or that the Revenue will advance or will recede, and upon this view of the situation, the House of Commons is capable of forming a judgment. The right hon. Gentleman has never ceased to attack me for putting my Estimates too low in order to get an artificial surplus, although at the same time he knows that the Chancellor of the Exchequer is guided, to a very great extent, in framing the Estimates by his responsible permanent colleagues and advisers. Nevertheless, there is, I presume, always a certain amount of cross-examination of the data upon which they proceed, and that comes within the duty of the Chancellor of the Exchequer, and upon his view of the prospects of the country, the increase or the decline in its prosperity, are the Estimates considered and revised in one direction or the other. Every man in the position of Chancellor of the Exchequer gets a large amount of information from various quarters, of which he would be foolish if he did not avail himself in submitting his Estimates. The right hon. Gentleman said that it was a new-fangled procedure to take 2 per cent. all round as a standard of increase. I have pointed out that, as a whole, it will come up to 2 per cent., but if the right hon. Gentleman will look at the details he will see that it does not always come out at 2 per cent. in the separate items. What I wanted the House to understand was that 2 per cent. increase really meant stationariness with regard to expansion. There is 1 per cent. for population and 1 per cent. for the three days. I, therefore, made use of 2 per cent., which represents the normal increase on the year generally, but, speaking generally, I have allowed for little increase on the year calculated apart from that normal increase. I maintain that I have proceeded on the lines upon which we have always gone, and it was the fault of my explanation if I conveyed an opposite impression. Then I come to the point the right hon. Gentleman touched upon at the commencement of his speech when he spoke of the figures I gave the other night. Now, as regards the £37,000,000, the right hon. Gentleman said I spoke of this sum apart from terminable annuities. That is not how I find it in my notes.

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SIR W. HARCOURT: What I want the right hon. Gentleman to show me is an authoritative statement that within latter years—that is, within the last four years — there was paid off £30,200,000; for that was his statement.

*MR. GOSCHEN: No; that £30,000,000 had been devoted out of taxation to the payment of Debt.

SIR W. HARCOURT: Without counting money borrowed?

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*MR. GOSCHEN: I had been speaking of the total reduction of Debt and then of the amount paid off by taxation. When I spoke of the reduction of Debt in the last year I mentioned about £6,000,000, and when I spoke of the amount voted out of taxes for reduction of Debt I spoke of £7,500,000. The right hon. Gentleman wishes to fasten on me a statement that is not justified by the language used, and which I did not intend to convey. I am charged with not paying off Debt, but with having filched money which belonged to the payment of Debt, and I said that, notwithstanding all that has been done during the four years which I took of the present Administration, as much money has been devoted out of the taxes to the payment as in the four years of the former Administration.

SIR W. HARCOURT: What we understood the right hon. Gentleman to say was that in the last four years the present Government had been paying off £3,000,000 more of Debt than had been done by the last Government. That is what the right hon. Gentleman has been understood in the country to say, and that has been commented upon in every newspaper as a satisfactory demonstration of the right hon. Gentleman's finance. If the right hon. Gentleman says that is not so, that it is an exaggerated statement, I am quite satisfied.

*MR. GOSCHEN: It is the exact opposite. The right hon. Gentleman is trying to evade the most substantial point by putting the controversy on another footing. The amount of Debt the Government have paid off is immense, but this particular point with which I had been dealing was the amount paid out of taxes at one period as compared with the other, and I expressed myself plainly on that point.

MR. W. E. GLADSTONE: The right hon. Gentleman has dealt not with the simple question of how much the Debt has been reduced, but has dealt at one moment with how much it has been reduced, and at another moment with the totally different question as to the amount devoted to the reduction of the Debt out of taxes, which has involved the whole subject in inextricable confusion.

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House has over and over again pledged itself—I admit, against the views of the right hon. Gentleman and others—that the ratepayers should be assisted. It was a legacy we inherited, and I am perfectly certain that the great bulk of hon. Gentleman opposite would have joined in any Vote that would have emphasised the neglect of the poorer ratepayers in towns if we had not proceeded in the direction we did. But I think that on the whole it is too late in the day to discuss that question. Now, having disposed of the more formidable charges, I come to what the right hon. Gentleman has said about the framing of Estimates. The right hon. Gentleman has strongly protested against the House being supposed to associate itself with the Chancellor of the Exchequer in his estimate of future Revenue. Now, I think the right hon. Gentleman might have remembered that it was more in a humorous than a serious vein that I spoke of the House having associated itself with me by a responsive cheer, and I think the House understood the attitude I took. Of course, I was not pressing home the partnership to the extent the right hon. Gentleman has suggested. When I spoke of partnership, I did not speak of partnership in a particular Estimate, but of association in the view that Estimates should be framed with caution. We frame our Estimates upon the view that the situation shows a tendency to be stationary, or that the Revenue will advance or will recede, and upon this view of the situation, the House of Commons is capable of forming a judgment. The right hon. Gentleman has never ceased to attack me for putting my Estimates too low in order to get an artificial surplus, although at the same time he knows that the Chancellor of the Exchequer is guided, to a very great extent, in framing the Estimates by his responsible permanent colleagues and advisers. Nevertheless, there is, I presume, always a certain amount of cross-examination of the data upon which they proceed, and that comes within the duty of the Chancellor of the Exchequer, and upon his view of the prospects of the country, the increase or the decline in its prosperity, are the Estimates considered and revised in one direction or the other. Every man in the position of Chancellor of the Exchequer gets a large amount of information from various quarters, of which he would be foolish if he did not avail himself in submitting his Estimates. The right hon. Gentleman said that it was a new-fangled procedure to take 2 per cent. all round as a standard of increase. I have pointed out that, as a whole, it will come up to 2 per cent., but if the right hon. Gentleman will look at the details he will see that it does not always come out at 2 per cent. in the separate items. What I wanted the House to understand was that 2 per cent. increase really meant stationariness with regard to expansion. There is 1 per cent. for population and 1 per cent. for the three days. I, therefore, made use of 2 per cent., which represents the normal increase on the year generally, but, speaking generally, I have allowed for little increase on the year calculated apart from that normal increase. I maintain that I have proceeded on the lines upon which we have always gone, and it was the fault of my explanation if I conveyed an opposite impression. Then I come to the point the right hon. Gentleman touched upon at the commencement of his speech when he spoke of the figures I gave the other night. Now, as regards the £37,000,000, the right hon. Gentleman said I spoke of this sum apart from terminable annuities. That is not how I find it in my notes.

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*(6.46.) MR. H. H. FOWLER (Wolverhampton, E.): Although I am sure the right hon. Gentleman has endeavoured to explain this matter as fully as he thinks necessary, he must not be surprised to hear that Members on this side of the House have utterly failed to understand him. It may be our fault, but I venture to say that the confusion in regard to the Budget is now worse confounded than when the right hon. Gentleman sat down on Thursday night. The right hon. Gentleman now draws a distinction between what he calls net reduction of the Public Debt and sums appropriated out of taxation to that purpose; but the inference drawn from his speech the other night is that the reduction is wholly effected out of taxation; and although he said he did not intend to give the matter a political character, it has already assumed that character in every election now going on in the country. The statement is being made that while the Government of 1880 to 1885 reduced the Debt out of the taxes by only such an amount, the present Government has done so by a very much larger amount. Now, the true test of sound finance in regard to the reduction of Debt is how much is applied year by year out of the Income of the year to the purpose. There are, as we know, large sums which come automatically and go to the reduction of the Debt—sums which do not depend on either the wisdom or folly of the Chancellor of the Exchequer, but I repeat that the true test is the amount applied to the purpose out of the Income of the year. There are two ways of reducing the Debt—by means of Terminable Annuities, under the operation of the new Sinking Fund, or by means of the old Sinking Fund, which is the surplus of the income of the year over the Expenditure of the year. Taking the Chancellor of the Exchequer on both those grounds, I will draw his attention to a Return which has been laid before Parliament, and which was carefully prepared under my direction when I was at the Treasury. I will not in the comparison reject the year 1881, but will take the four years which the right hon. Gentleman gave in his Budget Speech—1881, 1882, 1883, and 1884—as representing this side of the House, and 1887, 1888, 1889, and 1890 as representing the Government side. Now, in the former four years the Chancellor of the Exchequer of that day out of the taxes appropriated to the payment of Debt the sum of £27,128,000, of which only £1,586,000 was surplus. In the four years under the Administration of the right hon. Gentleman the amount so appropriated out of taxes was £27,600,000, of which a little over £7,000,000 was surplus. In presence of these figures, then, what ground is there for the right hon. Gentleman to contrast his own Government in such glowing terms with the preceding Government? The truth really is, with reference to the payment of the National Debt, that the credit is not due to this or to that Chancellor of the Exchequer. The credit was due originally to the principle of the Terminable Annuities established, I believe, to a great extent by my right hon. Friend the Member for Mid Lothian (Mr. Gladstone) and Lord Sherbrooke, and largely developed in 1885 by my right hon. Friend the Member for South Edinburgh (Mr. Childers). For the Chancellor of the Exchequer to take credit to himself for paying off Debt with those millions was as if an engine-driver driving a passenger train across the Forth Bridge took credit for building the bridge. The means were already at his hand, and he could do no other than reduce the Debt with them. I think the figures remain precisely where my right hon. Friend the Member for Derby (Sir W. Harcourt) left them. With reference to other points on which the Chancellor of the Exchequer had spoken, I am bound to confess that I cannot understand his defence of the accounts relating to the Army and Navy. I was much surprised to hear the right hon. Gentleman state that it was impossible at the

commencement of the year for the Government to estimate what the expenditure for the year on public works or contracts would be, for such a statement strikes at the very roots of our finance. The one great point which has long distinguished English from foreign finance—and especially French and German finance—is that in England the year's Expenditure is met by the year's Income, and that the accounts are kept strictly within the year. But the present Chancellor of the Exchequer has introduced quite another system. He told the Committee the other night, for instance, that his Estimate for the Navy and Army for this year was £31,750,000. Now, an ordinary every-day man of business would certainly understand that that amount was to be the expenditure this year on the Army and Navy together. Not at all. The Chancellor of the Exchequer has himself said that he is about to put another Return on the Table, in which he states that he estimates the Army and Navy Expenditure for this year, not at £31,750,000, as announced in his Budget Speech, but at £36,907,000.

*Mr. GOSCHEN: The figures of that Return were also in my Budget Statement.

*Mr. H. H. FOWLER: Well, Sir, we did not understand that. I am not charging the right hon. Gentleman with keeping back in that sense of the word, but I say he is introducing a new system of finance altogether. He does not put before the country the Expenditure of the year in the shape the country understands it. He does not go to the country and ask that the sums he needs should be raised by taxation, but he proposes to borrow money to meet them. If I wanted to answer the Chancellor of the Exchequer on this very point, I should go to the speech, with which I have no doubt he is now very familiar, which my right hon. Friend has already quoted. The First Lord of the Treasury of these days was the First Lord of the Admiralty of that day, and the First Lord of the Admiralty of that day had very much the same views as to Navy Expenditure that the Chancellor of the Exchequer has now. The Chancellor of the Exchequer would not accept the statement of his right hon. Colleague, and let me read what he said in reply to him. He said—

> "The First Lord of the Admiralty had presented a comparison based on ordinary and extraordinary expenditure. Let him ask the House to understand how this matter really stood. There were two kinds of extraordinary expenditure—that was using the language of the Government and not that of our old finance, namely, that which was used for a distinct purpose, and that extra expenditure, which was merely spent in our own dockyards, increasing our ordinary quantities of supply stores and ships. So much of the extra expenditure as was expended at home on dockyards in increasing the number of ships remained, and the House would see that it ought to fall, and it must fall, on the ordinary Estimates of the year."

There is one other point the Chancellor of the Exchequer raised on which he seems to think no one impugns his action. I would do so, and I would say that all the financial sins with which the Chancellor of the Exchequer may be charged in future the greatest, I think, will be his anticipation of a possible contingent profit on the Suez Canal shares six years hence. That is a profit which does not exist, and which is a matter for the discretion of a future Parliament. It will be for the taxpayers and the Parliament of 1894 to say how they will appropriate that money. And I think the sum has been considerably exaggerated. If I understand the thing aright, there will only be a profit of £370,000 on the shares. We are now receiving £200,000, and the Chancellor of the Exchequer estimates that in 1894 he will receive £570,000, and he is now mortgaging the contingent profit between the £200,000 and £570,000.

*Mr. GOSCHEN: I would point out that that £200,000 profit now received is applied to the diminution of Debt.

*Mr. H. H. FOWLER: Yes; to the payment of the Terminable Annuities created for the purchase of the shares. Passing to the general finance of the Budget, the Chancellor of the Exchequer seems to think himself justified in his Expenditure. Whether he justifies it or not the House of Commons ought not to pass the enormous increase in our Expenditure which the Budget proposes without some criticism. The right hon. Gentleman in the course of his speech said he had beaten the record with regard to the payment of Debt. That, I think, we have disputed and disproved, but nobody, I think, can dispute or disprove that the right hon. Gentleman has beaten the record so far as Expenditure is concerned. The Budget of last Thursday night was the highest Budget ever submitted to the House of Commons in time of peace. We have reached a £100,000,000 Budget. I admit that a considerable proportion of that is to be appropriated in the shape of local subventions—for that is the real character of the local taxation, not grants in aid—with all the vices of the old system, with no advantage in the shape of control or economy; but practically we have to raise a Revenue next year of something like £100,000,000. The Chancellor of the Exchequer has anticipated where he will be exposed to criticism, and he has made reference to his Military and Naval Expenditure. I should like to quote one or two figures to show how this expenditure is increasing, and increasing in time of peace, and for reasons which the right hon. Gentleman said were of a political nature, of which we have no cognisance. The year 1879-80 was not a particularly peaceful year. The ordinary Expenditure of that year, which was the last year of the Beaconsfield Government, was £25,250,000; it is now estimated at £32,750,000. For this side of the House I can repudiate all partnership with the Chancellor of the Exchequer in that Expenditure.

*Mr. GOSCHEN: Then vote against it.

*Mr. H. H. FOWLER: We have voted against it until we have become tired of voting against it. We have no wish to impede Public Business; but if the Chancellor of the Exchequer desires us to have protracted disputes in Committee of Supply, we may, perhaps, be inclined to gratify him. The gross figures as to the Army and Navy and Civil Service Expenditure are misleading, because they include gross amounts from which there are considerable receipts. In the Return I have referred to, we have the net Expenditure, which shows that it is not £100,000,000 or £90,000,00, but some £77,000,000, and of this Expenditure I want the House to contrast three or four items and see where the difference is, both as to where we are spending less and where we are spending more. Ten years ago we appropriated for Debt and interest £28,000,000. The House will remember the glowing picture the Chancellor of the Exchequer drew of the enormous increase in our national wealth and prosperity and prospects; but in spite of that increase, last year we only spent £24,750,000 on the Debt. Ten years ago we spent on our Army and Navy £25,750,000; last year we spent £32,750,000. Ten years ago the Civil Service cost £15,000,000; last year, including the discontinued grants, it is only £17,000,000; and on the collection of Revenue there is a reduction of from £2,750,000 to £2,500,000. Therefore, you see where the shoe pinches. You are increasing steadily and enormously the Military and Naval Expenditure, and you are decreasing the provision for the payment of Debt. If the House of Commons with its eyes open allows that to be done no one has a right to complain; but I entered my protest against the system as unsound and objectionable. The Chancellor of the Exchequer says he has levied a tax in order to provide for the extra expenditure on the Navy—the Estate Duty. The right hon. Gentleman did not tell us what were the receipts of that tax and the sources from which the money would be derived. I assume that if taxation is to be put on the country for military or naval purposes, all classes should share in it and be equally benefited. When he put on the Estate Duty, we told him on this side of the House that the duty was being unfairly assessed. I do not know—the Chancellor of the Exchequer knows—what was the result last year. But I do know from the Report of the Commissioners of Inland Revenue what was the result of the first year of the Estate Duty, and I think the House of Commons will be interested to know what are the proportions in which the duty is paid by real and personal property. In the first three quarters of that year the total produced from personal property was £780,000, and the total produced from real estate was £9,776.

*Mr. GOSCHEN: The right hon. Gentleman should remember that one is paid in cash down, and the other only in instalments.

*Mr. H. H. FOWLER: Yes; in four instalments, payable in eight years.

*MR. GOSCHEN: Nine years.

*MR. H. H. FOWLER: Even so, and taking it at £72,000, I say that is an unfair proportion of a tax that is producing £800,000 from personalty. The right hon. Gentleman appropriates £7,000,000 to local taxation; but when he introduced the scheme only three years ago, it was not a scheme of £7,000,000, but of £5,500,000. He is now going to give Local Authorities £1,500,000 more than he proposed to give them (including the Horse and Wheel and Van Tax).

*MR. GOSCHEN: The right hon. Gentleman is confusing the items.

*MR. H. H. FOWLER: I have gone through these matters very carefully, and am satisfied that what I have stated is correct. The right hon. Gentleman said—

> "We consider that these proposals meet, and adequately meet, the demands of those who have been called the reformers of local taxation. We have got no further plan behind us. We have shown you our hand."

But he now goes further, and puts on an additional £1,500,000.

*MR. GOSCHEN: That is not so. Will the right hon. Gentleman show me how he arrives at his figures? I imposed the Beer and Spirit Tax, which takes the place of the Wheel and Van and Horse Tax. That would have amounted to £700,000. If there is anything more, it is the £700,000 that represents the Police Superannuation and the grant for technical education.

*MR. H. H. FOWLER: The right hon. Gentleman may sub-divide it as he likes. I say that last year he gave for local taxation over £7,000,000. The abolished grants were £2,600,000, or £2,900,000 if you like. That leaves upwards of £4,000,000, and I say the original scheme did not come to within £1,500,000 of that amount.

*MR. GOSCHEN: No, no.

*MR. H. H. FOWLER: Well, what I want to do is to protest not only against the principle of the subventions with regard to local taxation, but against the unfair manner in which they are divided, which is becoming worse and worse every year. The figures with regard to the grants to London, to county boroughs, and counties show how unfairly the money is divided. The rateable value of the Metropolis is £31,500,000, that of the county boroughs £30,000,000, and that of the administrative counties £90,000,000. The local taxation of the country in round figures is, deducting the poor rate proper, £19,000,000, or £5,000,000 in London, £4,500,000 in the county boroughs, and £9,500,000 in the counties. Now, if the Committee will bear these figures in mind, they will see what is the injustice of the plan of the Government. London last year received from the local taxation account £815,000, the county boroughs £1,056,000, and the counties £2,933,000. That shows how unfairly the money is divided, and the relief should be given in proportion to the amount raised. That is an appropriation of public money which ought not to pass without some serious discussion. The appropriation of the surplus meets with my entire approval. But the true hero of the Budget is the right hon. Gentleman the Member for West Birmingham. When we remember what occurred in 1885 as to free education, and when we see that the Member for West Birmingham is able to compel a Tory Government, through the mouth of the present Chancellor of the Exchequer, to announce the adoption of free education, I think it will be admitted to be one of the most marvellous political triumphs of the time.

*(7.5.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): Sir, I congratulate the right hon. Gentleman that he has given us the assurance that the appropriation of the surplus meets with his entire approval. It is gratifying that there is one topic on which he is in absolute agreement with the Government. I shall give the right hon. Gentleman the earliest opportunity of showing how cordially he will support the Government. The right hon. Gentleman has spoken of sound principles in English finance. I agree with him that the Expenditure of the year should be met by the taxation of the year. But there is one other principle which has been lost sight of in the past—and that is, when an Expenditure is deliberately recognised as necessary, provision should be made for it in the future as well as at the moment it is passed by the House. What is the objection that is made? It is that the Government, recognising the defenceless condition of the country, so far as the

Army and Navy were concerned—armaments, coaling stations, and ships—felt themselves bound to make arrangements for the completion of the work they undertook, so that the Expenditure of one year should not be wasted through the omission to vote the money in the year after. There has been a singular deficiency of soundness in years gone by in that respect. Ships have been kept on the stocks for five or six years without being completed. There was a waste there, and waste of interest on the money already expended. If a man enters into a contract for the building of a house he generally sees his way to the completion of the contract into which he enters; he makes financial arrangements so that the work shall be carried through to a successful issue. The whole objection to the policy of the Government is that we recognise this responsibility to the country; we have made financial arrangements for the completion of the work we have undertaken, and have not left it to the uncertainty of the future. Objection is taken that the total of £6,800,000 for what is called extraordinary expenditure is put down and only £4,708,000 actually expended. I think we ought to take credit for that. Is it not, however, too late to object to those proposals two or three years after they have been sanctioned by Parliament? The right hon. Gentleman, however, has been discussing them as if the Bills embodying them were now before the House. The right hon. Gentleman has objected to the appropriation of the income derived from the Suez Canal shares held by this country to meet any particular branch of expenditure on the ground that that income forms part of the general Revenue of the country. On this point I have to say that when Her Majesty's Government came into Office they found that there was a great cumulative deficiency of provision for the safety and the protection of the country, and we thought that it would be hard upon the taxpayers of the day to ask them to pay off in four, five, or six years the whole charge which has to be incurred in consequence of those accumulations of deficiencies which are the result of many years' failure to provide for the safety of the country. It is to meet this Debt, which is due to the action of past Chancellors of the Exchequer, past Houses of Commons, and past taxpayers, that the income derived from the Suez Canal shares has been appropriated for a limited number of years. No one could have anticipated, when Lord Beaconsfield purchased the shares in 1875, that the investment would realise so large a profit for the country, and it is only right that the proceeds of this successful investment of the national funds should be appropriated for a term to providing for the safety and the security of the country. The right hon. Gentleman has objected that the contributions from the Imperial Exchequer in aid of local expenditure are not under Imperial control, and suggests that in such circumstances there is no security that the contributions will be expended in an economical manner. But if the Local Authorities, who are the representatives of and are responsible to the ratepayers, are to be trusted to expend the local rates economically, why should they not be equally trusted to spend the Imperial contributions economically when it is clear that those contributions merely represented an equivalent amount of rates? It cannot be contested that the economical expenditure of these contributions must result in a diminution of the rates. I do not suppose for a moment that the right hon. Gentleman would seriously propose that the Imperial contributions in aid of local burdens should be put an end to, with the result that the rates would have to be raised to a corresponding extent. Then with regard to the rate of the repayment of the Debt. I should like the right hon. Gentleman to go to the country on the question whether the Debt should be repaid at the rate of £9,000,000 or £10,000,000 a year, instead of at the rate of £6,000,000 a year, with the result in the former case that the taxation would have to be increased by £3,000,000 or £4,000,000 a year. I should not like to go to the country with a proposal of that kind, and to ask it to pay taxes to the amount of £9,000,000 or £10,000,000 a year instead of the £5,000,000 or £6,000,000 for which provision is now made. I believe the present system is one by which the Debt is paid off with sufficient rapidity to give security and stability to the finances of this country; and to call upon the taxpayers to find so large a sum as £9,000,000 or £10,000,000 yearly by organised taxation, apart from occasional services, would be a monstrous demand, and one largely in excess of what any Government ought to propose.

(7.41.) Mr. SYDNEY BUXTON (Tower Hamlets, Poplar): I think the right hon. Gentleman entirely misapprehended what fell from the right hon. Gentleman the Member for Wolverhampton, who objected that under the system introduced by the Chancellor of the Exchequer Imperial and local finances were now so mixed up that it was very difficult to distinguish one from the other, and that too large an amount was now given to local finance in view of what the Chancellor of the Exchequer originally said would be a fair sum. In regard to the last point raised by the right hon. Gentleman the First Lord of the Treasury as to whether the country would desire to vote an additional £3,000,000 a year towards the reduction of the Debt, that is a question which cannot possibly arise, thanks to the action of the Chancellor of the Exchequer himself. The real point is not whether we are prepared to vote this additional £3,000,000, but whether the right hon. Gentleman was justified three or four years ago in reducing the Sinking Fund by £2,000,000, and invading its principle by taking out a further £1,000,000. It so happens that the Revenue has increased since then. We are very glad of it, for the right hon. Gentleman has been able to reduce a larger amount of Debt in consequence of the unexpected surpluses he has received; but our complaint is that still more would have been paid off if he had not invaded the Sinking Fund. In regard to the question of spreading the Expenditure, the First Lord seems to think our chief complaint is of the large outlay which is unfortunately being made on the Army and Navy. I agree with the right hon. Gentleman the Member for Wolverhampton in his remarks on that, but the point we are discussing is not the actual amount of annual Expenditure under the Act, but the mode in which it is carried out. The Government proposed to spread the Expenditure over seven years, and our complaint, which has since been proved to be well founded, was that it was not possible so long ahead to frame accurate estimates of such Expenditure. The First Lord seemed to think it to be to the credit of the Government that they had spent a much less sum than was originally estimated for, but it appears to me that this miscalculation is the best possible condemnation of the policy they pursued. Another of our complaints was not that they had borrowed a certain amount of money, but that they made no effort to meet the outlay out of current income. The right hon. Gentleman the Member for Derby made some trenchant remarks on the action of the Chancellor of the Exchequer in "spreading" the Expenditure, and pointed out how the right hon. Gentleman strongly condemned the practice when adopted by one of his predecessors. The Chancellor of the Exchequer, in his reply, while he defended his policy, might have pointed out that in the previous years of his Chancellorship he had given £4,000,000 of annual Revenue to the Income Tax payers, that he had reduced the Debt by £2,000,000, and that in the same year he increased the Estate duty and practically reduced the Sinking Fund by £1,000,000. In the last year, too, he was able to reduce the taxation by another £3,000,000. I cannot consider it heroic finance while reducing the taxation £7,000,000 to add £1,000,000 a year to cover expenditure which ought to have been met in the year in which it was incurred. The right hon. Gentleman said we on this side of the House do not understand the matter, and that the Return he has given to the right hon. Gentleman the Member for Bradford is totally misleading. Now, no one in this House was able to trace in any published account how the money was being expended and how it was being provided, and hence the Return was asked for. It was only obtained under great pressure from the Front Opposition Bench, and it does seem strange that the Chancellor of the Exchequer should now say it is misleading, and that we do not understand it. But I need not enter on that point further. In conclusion, I should like to say that many of us on this side of the House hail with satisfaction the proposals contained in this Budget, because we desire to support the application of the surplus to the abolition of school fees. When the Bill is introduced, if it is not in a satisfactory shape, we shall endeavour to improve it; but I hope we shall not fall into the course evidently desired by the Government—to judge from the utterances of their supporters—and so oppose the Bill as to induce them to withdraw it. I hope we shall accept it, whether satisfactory or not, keeping ourselves free at some future time to deal with the whole educational question in a more satisfactory way. It seems very likely that we shall have to support the Government rather than oppose it, to judge from the way in which the proposal was received the other night by hon. Gentlemen opposite. Their reception of it was certainly ominous of trouble and of the fate of the Bill. It seemed as if hon. Gentlemen were not quite so ready to throw over all their past professions and past pledges in regard to the question of free schools as the right hon. Gentlemen on the Front Bench; that they are not quite willing even just before a General Election to offer free education as a sort of bribe, seeing that they have opposed it in the past. Hence they are not quite prepared to follow the Government in this matter. But we believe in the principle of free schools, we believe in the abolition of fees, and therefore we shall do our best to save the Government from their own friends.

(7.51.) MR. ROWNTREE (Scarborough): I hope the statement of the right hon. Gentleman the Member for Wolverhampton as to the inequitable distribution of the grants in aid will receive more attention from the Government, for it is exciting a good deal of notice in the country, and marked dissatisfaction is becoming apparent. The right hon. Gentleman spoke of the large amount which county areas were receiving from the grants in aid as compared with the county boroughs and the Metropolis. I think the matter ought to be pressed further, for the argument might be extended with great force, because the smaller Corporations in the county area are receiving very much less than they ought to in proportion to their area, population, and rateable value. May I give one illustration? The Chancellor of the Exchequer in his Budget speech stated that £3,100,000 had been appropriated to grants in aid of local taxation in England alone. If so, surely every Corporation in the country and every area of population should have received some decided and considerable benefit from this large sum; but, as a matter of fact, there are unfortunately some Corporations which have practically received no benefit at all. The borough I represent has received only £47 in addition to the grants it received previously. No doubt it will be urged that negotiations are pending with regard to the main roads, and that when completed further sums will come to the boroughs; but admitting that, I doubt if we shall get anything in the way of arrears, or if we shall even get a fair share in the future. To show how important this is, I will illustrate the case of Scarborough. If I take the basis of population, they are entitled to £3,600 out of the £3,100,000 of the grant in aid; but if I take their rateable basis, they will be entitled to £4,400 annually. If I take a third alternative—the basis of the previous payment or amount raised within the town as far as we can estimate towards that taxation—our share would be £4,130. Yet we have only received £47 in addition, and assuming we do receive that which apparently we are entitled to receive in the future from the County Councils, we shall only have £1,250, or about one-third of the proportion due to us. I believe this case can be paralleled by the cases of other towns; and I respectfully submit that the smaller boroughs—giving, as many do, much attention to the sanitary requirements of the town, and anxious in every way to promote the well-being of their people—are as much entitled to their proportion from these grants in aid as larger boroughs within county areas. I ask the Government to give some attention to this matter, and enable these boroughs if they are in error to see exactly where that error is, because it appears that they are under considerable difficulty in bringing forward figures so fully as they would wish to do. I particularly appeal to the Chancellor of the Exchequer to allow Returns to be prepared giving by way of illustration a certain number of towns showing the effect of the new system on smaller Corporations, on the non-county boroughs, as well as on larger ones. In December last the Chancellor of the Exchequer's Secretary wrote showing exactly the position of the county borough of Halifax under the new system; and I should be glad if the Government would prepare a Return showing what they claim to be the beneficial effect of the system on some of the smaller towns. We may be mistaken; but at present we believe we are being unfairly dealt with and prejudiced by the new system. At present, the figures show that taxation is being raised from the small boroughs to be expended in the adjoining counties, and we are not receiving any relative advantage from it. We feel this to be a great grievance. I wish to say, in conclusion, that as far as possible moneys granted in aid of local rates in the future should not be ticketed and allocated to some particular fund, and that the Local Authorities should be trusted more in the actual distribution of these funds. The right hon. Gentleman the Leader of the House has spoken of trusting the representatives of the Local Bodies. We ask that they should be trusted in the actual distribution of these sums. The finance of towns is being made much more intricate and difficult to understand; because different sums come into the financial accounts which are earmarked for certain purposes, and which therefore do not go through the balance-sheet as a whole, but form a variety of separate accounts. Such a state of things lessens the responsibility of the representatives of the different Local Bodies, and makes the local balance sheet much more intricate and difficult to understand. I trust that, in view of the great interest which is felt in the application of the grants, we shall have some assurance that the money will be granted equitably and justly to all the different Corporations and all the Local Bodies concerned.

*(8.2.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The hon. Member has more than once urged upon me that Scarborough, the borough he represents, does not get that share of relief which he considers it ought to get, either in proportion to its rateable value or population. The hon. Gentleman has told us to-night that the whole sum which has been received by Scarborough up to the present was something like £47——

MR. ROWNTREE: In addition——

*MR. RITCHIE: In addition to the discontinued grants. I presume the hon. Gentleman has not included the amount which has been paid to the Union in which Scarborough is, in aid of the poor rate.

MR. ROWNTREE: That comes to about £700; but, on the other hand, we have had to pay to the county rate a like amount. I balanced the one against the other.

*MR. RITCHIE: Then, of course, Scarborough has something to receive in respect of main roads. I am quite prepared to admit that Quarter Sessions boroughs, which previously made no contribution to the county at all, are in a somewhat different position to ordinary non-county boroughs. Parliament decided that it was necessary that Quarter Sessions boroughs—all boroughs below a certain population—should, in future, become part of the county; and in order to meet what was considered a just demand on the part of the Quarter Sessions boroughs, which had no main roads, but which contribute to the county main roads, it was determined that there should be a re-consideration of the streets of the boroughs, and that such of them as were main roads should be declared main roads, and be repairable by the county. I do not dispute that there may be cases in which, perhaps, the adjustment may not be so satisfactory to the borough as all desire. In connection with the declaration of main roads in Scarborough, I have considerably extended what was considered necessary and recommended by the Local Government Inspector who went down, but I have not been able to meet the wishes of the hon. Gentleman or of the borough of Scarborough. I feel there is some ground for the complaint on the part of Scarborough that it has not benefited so much by the relief under the Local Taxation Account as some other boroughs, which do not possess the exceptional position that Scarborough has, and if I can give a Return such as the hon. Gentleman desires I shall be glad to do so. I am sorry the right hon. Gentleman the Member for Wolverhampton has left the House, because I desire to take advantage of this opportunity to make some remarks with regard to the figures he quoted in comparing the position of the counties, the county boroughs, and the Metropolis, so far as the relief of local taxation is concerned. The right hon. Gentleman said that under the complete scheme London would receive £280,000, the county boroughs £700,000, and the counties about £2,000,000. Those figures are not, however, accurate. My own calculation at the moment is that London will receive something approaching £500,000, the county boroughs £600,000, and the administrative counties £2,000,000. The right hon. Gentleman stated the figures in order to draw a comparison unfavourable to the towns. He said the benefit derived by the counties was very much larger than that conferred on the Metropolis or the county boroughs. Now, my point is that the relief to the Metropolis is 3·5d., as against 4·9d. for the counties and 5·4d. for the county boroughs. Thus, though the Metropolis gets a very large sum, the actual amount of relief is not so great as in the cases of the counties and county boroughs. This is explained by the fact that the amount collected for licences in London is considerably less than in other parts of the Kingdom, and consequently London does not receive so much in relief. I do not think that the inhabitants of London have any very strong ground of complaint. The right hon. Gentleman the Member for Wolverhampton drew a comparison between the relief to the country and that to the towns, and contended that the relief in the latter case was less than it ought to be. But what are the facts? While the relief given in the county boroughs in England and Wales is 5·4d., the counties have only benefited to the extent of 4·9d.

Mr. STOREY (Sunderland): Will the right hon. Gentleman give us the comparison of the existing rates in boroughs and in counties? A reduction of 5d. in a 4s. rate would be very different to a reduction of 4d. in a 6d. rate.

*Mr. RITCHIE: I maintain that that would not be a fair basis of comparison. If it be true that the towns have heavier rates, they have got value for their money. There can be no question about that. They have spent large sums on water supply and drainage, and other matters, which contribute greatly to the comfort of the inhabitants, and it would be an entirely erroneous method of calculation if this money were to be distributed and relief given on the basis of money spent. If the rates in towns are high the inhabitants reap the benefit in the shape of the increased value of their property. I contend that, on the basis of rateable value, the towns have not fared so much less well than the country, for, from a statement before me, I find that whilst the county boroughs will be relieved by 5·4d. in the £1, subject to the equitable adjustment, the complete effect of which we do not yet know, the administrative counties have received relief by about 4·9d. The amount of difference is not great, but whatever it is I say that it is in favour of the towns. The right hon. Gentleman complained that Wolverhampton had not fared well in the distribution. I think it has benefited considerably above the average of county boroughs throughout the United Kingdom, for it has received the equivalent of 6d. in the £1, whereas the average of county boroughs is 5d. I, therefore, do not think it has any reason to complain on that score.

(8.15.) Mr. STOREY: I accept the right hon. Gentleman's figures for the present, although Parliament has not been furnished with the means of testing them. I understand him to say that London has received, through the operation of these subventions in aid, a reduction of 3d. and a fraction in its rates—[Mr. Ritchie: Nearly 4d.]—3·7d. He tells us that county boroughs have received a reduction of 5d. and that counties received practically about 5d. We understood that this was to be a relief of those who needed relief most, but the basis upon which the right hon. Gentleman and the Government have gone has been such that those have got most relief who were least heavily burdened, and who therefore needed least. Take the case of a county where the rate is 1s. in the £1. If the county had got a saving of more than 4d.—nearly 5d.—in the 1s., it is very evident that the reduction in the rates would amount to 33 per cent. Take the case of a borough which may happen to be within the county though not of it. That borough has secured a reduction of rates of 5d. The rates are probably 4s. in the £1, and in some cases more. It is evident that a reduction of 5d. upon a 4s. rate is a very different thing to a reduction of 4d.

upon a 1s. rate. We, in Sunderland, have secured such an amount of money through these subventions as has enabled our Poor Law Guardians to levy a lower rate this year than we have had for several years past. But whilst we are large enough to secure a reduction of our rates by something like 2d. in the £1, which is about one twenty-fifth of our total rate, in the county immediately adjoining they have been able to secure a larger reduction—indeed the reduction has been of such an amount that practically their rates have been reduced to next door to nothing at all. When the Local Government Act was passing through the House the contention was that there were certain areas and certain descriptions of property that were so heavily rated that it would be convenient and advantageous to apply general taxes to alleviate the burdens upon those properties, and we allege that the operation of the right hon. Gentleman's method has been that the relief has mainly gone to the owners of land who least needed it. The relief which we in boroughs were led to expect would be very important and very considerable, has been, as a matter of practice, found worth very little at all. I have no disposition to pursue the other points raised to-night, because I do not think it is really worth while debating them at all. But this particular point the right hon. Gentleman well knows has not come up now for the last time. It will come up, I hope, again and again, until we are able to secure some much more equitable division of the relief as between boroughs and counties.

(8.24.) Mr. ROWNTREE: I have Papers here referring to many other towns where the grievance to which I have called attention is as strongly felt as in Scarborough. I am sure there would be a feeling of great satisfaction if the right hon. Gentleman could see his way to present a Return which would enable the towns to judge of the actual result of the new system.

Mr. WATT (Glasgow, Camlachie) was inaudible in the Gallery.

(8.30.) Mr. STOREY: I desire to ask a question with respect to the House Duty. Last year a reduction was made in the Inhabited House Duty, and we contended it should apply to tenement houses. We understood that that condition had been acceded to, and that tenement houses which were occupied by two or more tenants, though there was a common door, would be exempt. A case occurred in Sunderland, in which a woman applied to the Inland Revenue authorities to be relieved from the Inhabited House Duty on the ground that the house was a tenement house, occupied by two tenants, neither of whom paid £20 a year. The Local Commissioners took a common-sense view, and exempted the woman from the duty; but the authorities in London have appealed against the act of the Local Commissioners, and are putting the poor woman to considerable expense in legal proceedings. Perhaps the right hon. Gentleman will explain to us how the matter stands. (8.33.)

*(9.5.) Mr. MORTON (Peterborough): I do not wish to detain the Committee beyond a very few minutes, and have merely risen to call the attention of the Chancellor of the Exchequer to a matter upon which I spoke last year. But I may say, on the general question, that I am very glad to think that the Government propose to redeem their promise and give the people free education. So far as I am concerned, I am glad to accept as much free education as they will give us, not troubling whether denominational schools benefit by it or not. I know there are some persons, both inside and outside the House, who believe that the Whisky and Beer Duty should be reduced; but I am bound to say that, having the choice, I should have no hesitation in preferring free education to free whisky. I hear something said about free education being accompanied by popular control of denominational schools, and that may be necessary by-and-bye. Meantime I, for one, do not care to destroy the denominational schools at once, and am satisfied that it would be no benefit to the ratepayers; but if it is found by-and-bye that it is impossible to work a system of free education with denominational schools, then an element of popular control may be provided in the management——

The CHAIRMAN: Order, order!

*Mr. MORTON: I do not wish to go beyond what you, Sir, consider the limits of the present discussion, and will say no more on this matter. But I do trust that we shall have free education introduced as soon as possible, and I am sure it will be a benefit to the people of this country. The particular matter upon which I rose to say a word or two has relation to the assessment of House Duty and Income Tax. Last year I called attention to the matter, and I am aware that it has often been referred to in previous Sessions of this and other Parliaments. But we shall not be satisfied with simply calling attention to it; the system should be altered to a uniform system of assessment for rates and taxes. At the present moment the rates are collected on what is called the rateable value. This is in accordance with the Act of Parliament, which says that the rateable value shall be the value, after deductions from the gross rent, of certain charges. Income Tax and House Duty, however, are collected on the gross value. Now, what is wanted is that both should be collected on the same basis. They cannot both be right, and one or the other should be adopted. I do not, of course, mean that it is legally wrong, but it is morally wrong, to collect the Income Tax and the House Duty upon the gross value. Of course, the matter has occupied the attention of successive Chancellors of the Exchequer, and has been considered by Parliament, and Parliament has said that local rating shall be on the net value. The question of fair value has also been before the Law Lords of the other House, and in 1883 they decided that the gross value was not the fair value, but unfortunately they did not decide what was the fair value. In the case of assessment for the water rate they declared that the gross value was not the fair value. In 1885 Parliament decided on the same question by passing an Act, declaring, in regard to these Water Companies, that the fair value was the rateable value, so I think we have good authority for saying, in regard to this matter, that whether it be legally right or not, so far as we can get any declaration, it is that the true value is the rateable value. Of course, I am perfectly aware I can hardly expect the Chancellor of the Exchequer to do anything during the present year, for the alteration means a reduction in the Revenue, and we can only expect this when a Chancellor of the Exchequer has a surplus to dispose of. On ways of dealing with the subject I will not now dwell; all I want to know is, whether the Chancellor of the Exchequer is considering the matter, and if he proposes to do anything in regard to it? In the course of a short discussion I initiated last Session, the right hon. Gentleman said "It was a matter of great importance, and it would continue to occupy his attention, not without some hope that it would be possible to deal with the matter some day." Now, "some day" is a vague expression, and I had hoped it might have come this Session, and, at any rate, I should like to know if the right hon. Gentleman yet sees his way to do anything in the matter, which will not be settled until a uniform system of assessment is adopted for rates and taxes. There is another matter, to which I called the right hon. Gentleman's attention earlier in the year, and that is this. In the collection of local rates a deduction is allowed to landlords on property of a certain rateable value if they pay on their houses whether empty or let and during the whole of the year. I am told that the overseers find that it saves them a good deal of trouble, and that they do not find there is any loss by making these allowances, it being convenient to both landlord and tenant. I should like to know whether the right hon. Gentleman could not do the same thing as regards House Duty and Property Tax, allowing a certain discount on property up to a certain rateable value where the landlord and not the tenant pays the taxes? I am sure if that could be arranged it would save a great deal of trouble to collectors, tenants, and landlords, and I do not think there would be any loss to the Revenue. I will not detain the Committee longer, but I trust the Chancellor of the Exchequer will be able to give me an answer a little more favourable than that he gave me last year in regard to the assessments; and I trust the time is not far distant when we shall have the alteration made, because it must be wrong to collect the taxes upon what the House of Commons has declared an unfair value. You might as well collect the Income Tax on a man's income, deducting nothing for expenses, as to collect the tax on house property, allowing nothing for outgoings.

*(9.16.) Mr. CHANNING (Northampton, E.): The present Budget proposals are the most remarkable we have had for many years, and remarkable in two ways: in the first place, in offering to the people of this country, perhaps the greatest, the most important, and most urgently desired remission of taxation—for I consider free education to be a remission of taxation—that has been offered for many years past. But I think the Budget is equally remarkable in that it has given rise to a discussion which has been an explosion and an exposure of the Chancellor of the Exchequer's method of finance. The whole of the right hon. Gentleman's long speech he gave us the other day might be summed up in one sentence—that he felt very severely the strictures passed upon his financial methods by one of the most eminent authorities on finance (Sir Thomas Farrar), and the whole of his speech was an elaborate apology for his financial administration, based on the charges made against that administration by Sir Thomas Farrar. Now, I do not propose to deal with the question which has been so thoroughly threshed out to-day; but, at least, this may be said: that the support which the Chancellor of the Exchequer gets to his proposals by saying that the burden will not come upon the taxpayers because of the Suez Canal shares is founded on a fallacy absolutely transparent. With regard to the Naval Defence Act, he has bound the hands of Parliament and future Chancellors of the Exchequer so that they cannot interfere with Expenditure without the consent of the House of Lords, which we know will not be given. But with regard to the Suez Canal shares, while there is no consent of the House of Lords necessary, then there would be no difficulty, supposing a Radical Parliament elected at the next General Election, and a Radical Chancellor of the Exchequer proposed it, in appropriating the whole of that windfall to some other purpose for the public advantage, instead of that for which the Chancellor of the Exchequer destines it, still, in that case, too, there is practically an anticipation of income, depriving the taxpayers of a fund which they might apply to other uses. But the whole financial administration of the right hon. Gentleman has been tumbled down like a house of cards by the criticisms of my two right hon. Friends, and I will not therefore occupy the time of the Committee in dealing with the subject, but I have something to say as to what may be called the Local Budget of the Chancellor of the Exchequer. The £4,000,000 of money issued from the Consolidated Fund as grants in aid to County Councils are not only a violation of those principles of finance laid down by Chancellors of the Exchequer and all who have thought out local finance administration, but contrary to his own contention which, with all eminent authorities, has been that you should give aid to local finance in the form of taxes, which can be raised by these Local Authorities, and for which Local Authorities should be primarily and directly responsible, and in the economical raising and spending of which Local Authorities have a peculiar and direct interest. In issuing these subsidies from the Consolidated Fund, the violation of principle involved is made all the worse by what has been admitted by the Minister of Agriculture with regard to agricultural districts, that reduction of rates is ultimately for the benefit of landlords, so that, practically, the whole of these £4,000,000 do not go to relieve industry, but will fall into the lap of the landed interest. I refer to this because I wish to say a word upon the financial side of free education. £1,000,000 is to be devoted to that purpose this year, and £2,000,000 in future years, and all who are interested in education and in the welfare of the poorer working classes who send their children to elementary schools must be perfectly satisfied with this appropriation of national funds. But what I wish to point out is this: in the first place, that we are pledging the resources of the future; of that I do not so much complain; but then these £2,000,000 annually will be granted out of the Consolidated Fund, while there is no attempt made to revise the incidence of Imperial taxation on land and realised capital. You are adding £2,000,000 a year to the outgoings, while

you have not introduced a graduated Income Tax, or revised the Death Duties, or placed direct taxation upon ground rents and ground values. These matters are left to the remote future, and the Government are giving this grant out of the pockets of commerce and enterprise and industry and labour, and out of the pockets of those men and women whose precarious incomes depend on their own faculties, and for whom the Chancellor of the Exchequer has no remedy or relief in the immediate future. I wish to emphasise the point that we are having a great gift made to the people of the country without placing a fair share of the burden upon realised property. I know it would be out of order to enter into the details of the proposal of free education. I would only say with regard to this that every Liberal and Radical on this side of the House, and every Liberal and Radical in the country, will in one sense thank Her Majesty's Government from their hearts for having made this great concession to the people of the country. But we consider it a victory of Radicalism and Liberalism over Tory prejudice and Tory protest. At the beginning of this Session, when this question was mentioned, the only Conservative Members who spoke on it condemned the whole proposal. How has it come about? We Radicals gave the franchise to the county electors, and nobody opposed its extension to them more persistently than the Chancellor of the Exchequer, but it is the fact that the county electors have a vote and will shortly be able to exercise it, and not sympathy with the principle of free education that has induced the Chancellor of the Exchequer to make this boon to the people of the country. I hope the measure will be promptly brought by Her Majesty's Government before the House. As far as those who have sometimes worked with me on educational questions in the House are concerned, I am sure we shall give the warmest and heartiest support to this proposal, while we shall not shrink from asserting in some practical form those conditions which we consider to be essential to the true and genuine carrying out of the measure of free education. But, subject to that, we shall give the right hon. Gentleman's proposal our hearty support. If there is a section of the followers of the Chancellor of the Exchequer who are anxious to avail themselves of the exigencies of Parliamentary time to enable the Government to escape from the carrying out of their pledge, we Radicals shall not let them off, but shall insist on the prolonging of the Session sufficiently to carry this proposal into effect, and shall not leave the poor men we represent in the counties subject to this tax one instant longer than we can. We shall insist upon the carrying out of the pledge which makes the Budget of this year so memorable.

*(9.29.) SIR R. FOWLER (London): The hon. Member has made a great attack on the landed interest. I do not happen to be largely connected with that interest, but I sit and live amongst those who are, and I know they are taxed to an extreme point, and that an increase of the taxation upon them would be equivalent to the imposition of the last straw that breaks the camel's back. I have already expressed my great satisfaction with the general principles of my right hon. Friend's proposals. I think he is entitled to the gratitude of the country for them. There is one particular point, however, to which I desire to draw attention. My right hon. Friend has proposed, and I think unjustly proposed, to throw a very heavy burden indeed on the Straits Settlements, namely, no less an amount in future than £100,000 per annum. Now, the Crown Colonies are not in the position of self-governing colonies like Australia and Canada; they have no Representative Institutions, and therefore depend for their ruling and for justice, to a large extent, on legislators appointed by the Home Government. I think they have a right to look to this House in a sense in which the self-governing colonies do not look to it. As regards the Crown Colonies, the effort which has been made to put increased taxation on them is very hard upon them. The reason for what has been done, particularly in Singapore, is that it is a most important naval station—a coaling station. It has been thought advisable by the Government to expend a large sum in fortifying the position; and I contend that, as the work is for Imperial purposes, the cost should

be borne by Imperial, and not by local, finance. In Hong Kong the expenditure of the Government is £200,000 a year; at present the colony provides £20,000 a year, but in future it is to be called upon to contribute £40,000. In the Straits Settlements the expenditure of the Government is only £136,000 annually, and yet this colony is asked to vote upwards of £100,000 of that amount. The burdens are not only all unfair in themselves; but in the case of the Straits Settlements, the proportion demanded is particularly unjust, and it is a burden forced upon it in violation of the votes of the Local Council entirely, because the Crown nominees are in a majority. I maintain that this is a great grievance, and I appeal to the Chancellor of the Exchequer to carefully re-consider the matter on grounds both of justice and of policy. I appeal to him to do this as a statesman who has sat in a good many Cabinets. He is not only acquainted with the Exchequer, but he has been First Lord of the Admiralty, and has filled other positions in Governments. He can, therefore, take an all-round view of the question. I believe that this has been suggested to the Treasury.

*MR. GOSCHEN: No, no.

*SIR R. FOWLER: Well, I believe they have looked into it. No doubt the duty of the Treasury is to raise money by all the means in their power; but I would appeal to the Chancellor of the Exchequer to regard the matter from the point of view of statesmanship, and not from the narrow point of view of the Treasury.

*(9.38.) SIR T. SUTHERLAND (Greenock): This is an important question to the Crown Colonies concerned, and I can speak with some authority on it, because I happened to be a member of the Legislative Council of Hong Kong at the time the first Imperial contribution was imposed on that colony. I listened with some surprise at the manner in which the Chancellor of the Exchequer appealed to the patriotism of the Crown Colonies with respect to the new and much larger impositions in the future. To my mind, his attitude was something like that of an amiable fishmonger, who, having skinned an eel, suggests that it should be as obliging and patriotic as possible. The course of procedure in such cases is that a Minister, or an official representing the Government of the day, having discovered that a Crown Colony has a Revenue and no representative Institution, decides to appropriate a portion of that Revenue for Imperial purposes. In the case I am familiar with, a message was sent out to the Governor to bring in a Bill, and the official members of the Council were required to vote for it, and in all cases the official Members are in a majority in Crown Colonies. In the particular instance to which I refer I had the audacity to oppose the contribution on what I believed to be just and equitable grounds, and one or two of the official members ventured to take a similar view; but, subsequently, a Despatch was received from the Secretary of State, in which it was practically stated to the official members of the Council that it would be as much as their places were worth if they voted against a measure advised by the Home Government, and brought forward by the Governor for the purpose of filling the Exchequer of the Home Government. That is not at all an exaggerated statement of the facts as they occurred a few years ago, and I venture to say that it will be found, on investigation, that a similar course has been pursued in regard to the recent enormous levies on the Straits Settlements, Hong Kong, and Ceylon. I need scarcely say that if these colonies possessed representative Institutions, the Government would never have tampered with their independence in the way they have done; for, as has been stated, the great bulk of the expenditure referred to is for Imperial, and not for local, purposes, and ought to be borne by the Home Government. I do not know how the Crown Colonies intend to deal with this question, but I trust they will not allow it to remain in its present unsatisfactory position. I am not, perhaps, sufficiently experienced in matters of this kind to advise them as to what would be the proper course to pursue. Whether they should follow the example of Newfoundland and ask to be heard at the Bar of the House may, perhaps, be an open question. I would, however, venture to suggest to the Chancellor of

the Exchequer an intermediate course—one which he might judiciously adopt in the interests of the Home Government and in the interests of a good understanding with the colonies—and it is that he should allow a grave matter of this kind to be submitted to a Committee of the House, before whom representatives of the colonies might be allowed to attend and show cause against the course pursued by the Government. I have no doubt the Chancellor of the Exchequer will be able to give an elaborate, add even a plausible, answer to the observations of my hon. Friend and myself on this question, but I venture to say that the matter will not rest on the present Budget discussion. Passing by the question with which I have been dealing, I cannot but congratulate my right hon. Friend on being one of the most cautious and fortunate Chancellors of the Exchequer who has handled the finance of this country for a very long time. I uphold entirely the financial method which the right hon. Gentleman has adopted on the important questions with which he has had to deal. No wiser or more sensible thing was ever done by a Government than, having entered on a most important and necessary programme in connection with the naval and military defences of the country, that they should have determined to allow the Departments concerned more or less a free hand in carrying out the great work, instead of confining them to the narrow limits of the Estimates of each succeeding year. It is utterly impossible for any Admiralty or any Naval Department to devise a scheme by which they can lay down exactly how much of the £21,000,000 which the House sanctions for naval construction can be expended in one particular year. At the same time, I think the accounts which the Chancellor of the Exchequer placed before the House at the time he introduced the Budget might be of a clearer and more comprehensive character. There is a great deal of mystery, especially with regard to these outside running accounts, which might be cleared away if a different system were adopted. I would suggest that the Chancellor of the Exchequer should have a printed Financial Statement issued from the

Treasury in the same way as is done by the Admiralty and the War Department. Such a statement would greatly facilitate Members in addressing themselves to the question of the national defences, and also lessen the labours of the Chancellor of the Exchequer in his Budget Speech. I should like to allude to the amount of the Floating Debt *vis-à-vis* to the amount of our Consolidated Fund; and, so far as I am concerned, I entirely approve of the idea of the Chancellor of the Exchequer in desiring to maintain Consols at the lowest possible amount, even at the cost of speculating somewhat in regard to the Floating Debt. I do not know whether in the voluminous Returns given to the House from time to time the information is afforded as to the cost to the Treasury of financing the Floating Debt; but I should be extremely surprised to hear that the cost of that financing during the last 12 months has been equal to the rate of the limited interest paid on the Consolidated Fund. Even if the expense were greater, I should still be an advocate for, as far as possible, avoiding the necessity of increasing the actual amount of our Consols. As to the price of that Stock, all the Members of the House are responsible. When the reduction in the interest was effected, investors rushed out of Consols into Railway Preference and Debenture Stock, and the consequence was that the latter have advanced something like 20 per cent., while Consols fell into a state of suspended animation to some extent. There can be no hostile criticism of the Chancellor of the Exchequer with reference to their existing value, for no one voted against the reduction of the interest. I must bear my testimony as a shipowner to the advantage the country has derived from the possession of its interest in the Suez Canal. The shipping interest of this country is under a deep debt of gratitude to those who had the happy inspiration of obtaining for this country a voice, and an important voice, in that control of that great undertaking which is so vital to our interests and welfare, and the interest on the shares could not be easily devoted to a better purpose than that to which it is applied by the Chancellor of the Exchequer.

*(10.5.) MR. SHAW LEFEVRE (Bradford, Central): Sir, the hon. Member behind me has complimented the Chancellor of the Exchequer for giving way to the great military Departments, but for my part I must protest against such doctrines, and if they were carried out to the full extent they would open floodgates of Expenditure in all directions. I protest against the doctrine that there is any financial pedantry in criticising the plans by which the Chancellor of the Exchequer meets the demands of the Naval and Military Departments. The Chancellor of the Exchequer ought to act as a check on any imprudent Expenditure by those Departments, and if the Chancellor of the Exchequer finds himself able to reduce taxation by postponing payments for ships and works or by borrowing money for the purpose, practically all check upon Military and Naval Expenditure will be removed. It is no answer to say that precedents can be found—one in the fortification scheme of Lord Palmerston and the other in the scheme for the localisation of the forces. We all know that a great amount of money was wasted upon the fortifications, and the localisation of the forces was not a wise precedent. The Chancellor of the Exchequer and the present Government have not contented themselves with a single case or two, but they have adopted the principle of borrowing in five distinct operations—for the fortification of our home ports, for the fortification of the coaling stations, for the Australian ships, for ships built under the Naval Defence Act, and for barracks. One of the chief evils of this system of finance is the concealment it enables of the Military Expenditure of the country. [The CHANCELLOR of the EXCHEQUER: Enables.] It has the effect of concealing the Expenditure of the country. Last year the Budget had to be discussed without any information whatever about the extraordinary Expenditure then incurred on behalf of the Army and Navy; the only information then given was that contained in the ordinary Army and Navy Estimates, and there was no other source from which information could be gathered as to what the real Expenditure was. I ventured to call attention to the fact and to hazard a guess as to what the real Expenditure was, but my figures were disputed by the Heads of Departments. Some weeks afterwards I obtained the Return to which allusion has been made. If it be of a confusing character, that is not my fault, because I was ready to adopt any form which would give the figures in a reasonably clear way. The form was approved of by the Treasury, and therefore it is not for the Chancellor of the Exchequer to complain. The Return showed that over and above the Army and Navy Estimates for the year there was a contemplated expenditure at that time of something like £7,000,000. It now turns out that that Estimate was excessive by £2,000,000. It is not the intention of the Opposition to find fault with the spending of the money, but if it had been necessary to take a Vote for the extraordinary Expenditure within the year a much more careful Estimate would have been submitted. Omitting these £2,000,000, the actual Expenditure last year over and above that voted in the Estimates was £5,058,000. Of this, £1,428,000 was charged on the Consolidated Fund; £1,155,000 was the unexpended balance of the previous year, which otherwise would have gone in reduction of debt; £405,000 was supplied by the Budget surplus; £350,000 was provided by Supplementary Estimates this year; and £1,719,000 was borrowed under various Acts of Parliament, by which the repayment is spread over different periods, namely, £696,000 was borrowed under the Naval Defence Act, £780,000 under the Imperial Defence Act, and £243,000 was borrowed under the Imperial Defence Act for expenditure on Australian ships. These were the statistics for last year, and I now come to the current year, for which the Treasury has produced a Return which is not yet in the hands of Members. In the course of his speech the Chancellor of the Exchequer told the Committee what would be borrowed; he used the terms "spent" and "borrowed," sometimes one and sometimes the other: but he did not tell the Committee what was the actual sum to be expended on the Army and the Navy within the current year. The Return now on the Table will point this out, but it is even more confused than that of last year.

It shows that beyond the ordinary Estimates of £31,750,000, £5,227,000 will be expended within the current year. That amount the right hon. Gentleman provides for in this way—charged on Consolidated Fund, £1,428,000; Budget surplus, £500,000; unexpended balances on previous years, £447,000; to be voted in next year's Estimates, £181,000; to be borrowed under Naval Defence Act, to be repaid by 1896, £2,119,000; to be borrowed under Imperial Defence Act and repaid out of surplus, £550,000; making a total of £5,225,000. Of this sum £1,928,000 is provided for in the year, £3,116,000 borrowed as money which will go in reduction of Debt, and £181,000 out of next year's Votes. My objection to these schemes of the Chancellor of the Exchequer is that they entirely destroy the effective control of the House of Commons over the Expenditure of the Army and Navy, and that they conceal the real amount of that Expenditure from the country. They also enable the Chancellor of the Exchequer to claim a surplus when in reality there is a considerable deficit, while they throw the Estimates for the Army and Navy into complete confusion, and render them useless for comparison. The statement of the First Lord of the Treasury as to the extent and the effect of the delay in the building of ships was greatly exaggerated, and in my opinion such delay as has occurred in the past has frequently resulted in our obtaining ships of a better type. The action of the Government in increasing the normal Expenditure upon the Army and Navy by £3,000,000 a year, in addition to the extraordinary Expenditure of £17,500,000, has resulted in the whole saving effected by the Chancellor of the Exchequer's conversion scheme being swallowed up.

*MR. GOSCHEN: How do you show that?

*MR. SHAW LEFEVRE: I understand the saving effected by the right hon. Gentleman's conversion scheme amounts from £1,500,000 to £2,000,000 per annum, whilst the increase in the normal Expenditure upon the Army and Navy amounts to £3,000,000 per annum. It is a very doubtful question whether that increase will ever be reduced; it is not easy to reduce Estimates again when once they have been increased, so I do not think I exaggerate when I say the normal increase of the Estimates for the two great Services swallows up the saving on the conversion of Consols. In addition, there is the authorised extraordinary Expenditure under loan to the extent of £17,500,000.

*MR. GOSCHEN: Some of that is paid off already.

*MR. SHAW LEFEVRE: That is, undoubtedly, the case; but, nevertheless, it was extraordinary Expenditure, and did not come under the £3,000,000 to which I have alluded. Such is not, I think, an untrue statement of the result as regards the Army and Navy. Then I have to allude to the expenditure in another Department, where the complaint is not that too much, but too little is spent, I mean the Post Office. The Chancellor of the Exchequer alluded to the Post Office in the course of his Budget speech, and appeared to take credit to himself during the last year for having spent some increased amount upon it. Now, last year I called the attention of the House to the expenditure upon the Post Office, and I complained that during the four years the Government have been in office they had starved and stinted the Post Office, and had discouraged improvements in that Department. My figures were on that occasion denied; they were stated to be unreliable. But during the interval between last Session and the present time, a Return of the Expenditure and Receipts of the Post Office has been laid upon the Table, showing the net surplus of revenue each year during 20 years. That Return fully bears out the statement I made last year. It shows that during the five years that the late Mr. Fawcett presided over the Post Office, there was a net surplus revenue derived from the Post Office and received by the Treasury, of about £2,800,000 annually. The amount remained about the same each year during the five years Mr. Fawcett presided over the Department. My hon. Friend the Member for Cardiff stated the other night, what I believe is perfectly correct, that Mr. Fawcett on taking office under my right hon. Friend the Member for Mid Lothian in 1881 came to an understanding with my right hon. Friend that he should be allowed a free hand in respect to Expenditure at the Post Office, or, at all events, that any sums beyond the normal amount paid into the Treasury as net revenue for the Post Office, should be under his control. And what I would call attention to is that the five years during which Mr. Fawcett held the position of Postmaster General was the period during which the greatest improvements were effected in the Post Office, and when the demands of the public were satisfied to a remarkable degree. In spite of this, during that period the net revenue for the Post Office remained stationary, amounting year by year to £2,800,000. I speak of the Post Office, and do not include the Telegraphs. As the result of this policy when Mr. Fawcett left the Department it was one of the most popular of the Services under Government, and there was general contentment among the *employés*. I think I am fully justified in saying that no Department of the State gave greater satisfaction to the public. What is the state of things since that time? I pass over the two or three years when the office of Postmaster General was held by myself and two or three others for short periods, during which there was practically no change; but I take the four or five years during which the present Government has been in Office. During this period the net revenue from the Post Office has risen from £2,800,000 to £3,450,000 in the year 1888-89, an increase of revenue of £650,000.

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): Does that include the Packet Service?

*MR. SHAW LEFEVRE: I include the Packet Service. And during these five years of increasing revenue from the Post Office there have been increasing complaints on the part of the public. I know the net revenue has been somewhat reduced last year, 1890-91, by a sum of £130,000, owing to the increases in salaries; but in the Estimate of the coming year I find in the Budget speech that the net revenue is expected to be the same as in the present year. As the revenues of the Post Office have been habitually underestimated, I think we may assume that it would be at least £3,400,000.

*MR. GOSCHEN: I can reassure the right hon. Gentleman upon that point. The possible increase in the revenue will certainly be largely diminished by the possible increase of Expenditure. One site for instance for a new Post Office is likely to cost £125,000.

*MR. SHAW LEFEVRE: That is not included in the Estimate for the year, and of course I cannot speak of things which are in the mind of the Chancellor of the Exchequer, but which have not reached the stage when they can be mentioned in Estimate or in Budget speech.

*MR. GOSCHEN: The right hon. Gentleman was speaking of a possible increase upon the Estimates, and I only wished to point out to him that unforseen Expenditure is likely to be as large or larger than unforeseen increase of revenue. I do not mention this by way of controversy, but for the satisfaction of the right hon. Gentleman.

*MR. SHAW LEFEVRE: Naturally I only dealt with the figures as I find them, and it is not fair to have this new figure started when it has not been mentioned in the Estimate or in the Budget speech. But even if we make allowance for that, I am perfectly certain that the net revenue in the coming year will at least be equal to the past year, and I shall be surprised if it is not £100,000 in excess. Taking the net average revenue of the Post Office during the five years when Mr. Fawcett presided there, I think I am justified in my contention that the Government have raised a constantly increasing net revenue from the Post Office, and that during the whole of the time improvements have been discouraged or refused on the part of the Treasury for the sake of getting this increased revenue for the Department. I do not say that the Postmaster General is to blame. The fact is, as everybody knows, the Postmaster General is the humble servant of the Treasury. If the Treasury desires to increase its revenue, the Postmaster General must give way, for the Treasury is master of the position—that is to say: the Chancellor of the Exchequer. The increase of revenue can only be effected at the expense of the Postal Service. And now we find that what six years ago was one of the most popular Services under

Government, has become one of the most unpopular Services. I might go further and make reference to pay, but inasmuch as improvement has been effected in the present year I will not dilate on this matter. My own belief is, that if the Postmaster General were allowed a free hand to deal with questions as they arise—if he had not to consult the Treasury upon every possible occasion—then many of the complaints might have been dealt with at a much earlier period and probably the ultimate charge upon the Government would not have been so great as now it proves to be. I will undertake to say that the result of drawing this increasing revenue from the Post Office has caused the Department to be unpopular in the sense that people have felt that improvements were neglected and discouraged by the Government while the Government has continued to derive increasing revenue from the Post Office. The Chancellor of the Exchequer will not, I think, deny the relations he has described between himself and the Postmaster General. Speaking to the London Chamber of Commerce last year the right hon. Gentleman said—

> "I can assure you that when the Post Office falls short of its duty it is on the Treasury that the responsibility should be laid rather than on the Postmaster General. The Post Office is an ambitious and a capable Department; its capacity is equal to its ambition, and its ambition is, I am bound to say, equal to its capacity. Let it never be thought that the Post Office is content to remain behind the measures or the systems of any Foreign or Colonial Governments."

The conclusion I have arrived at is that, while the Chancellor of the Exchequer has listened to the demands of the great Military Departments and given them what they wanted, he has starved and stinted the Post Office with the view of deriving from it a gradually growing income. I look upon any policy of starving that Department as unwise. My belief is that it would be a wise policy to give the Postmaster General a free hand in regard to the Service, though I would not carry that beyond the point of securing to the Government a considerable revenue, which I would put at £3,000,000, any excess beyond which should be devoted to the improvement of the Service. In conclusion, I again protest against the continual increase on the one hand of the Army and Navy Estimates, while a Department like the Post Office is being starved for the purpose of giving the Government an increased net revenue.

*(10.38.) MR. JACKSON: I have listened to the speech of the right hon. Gentleman with amazement and very great pain. The right hon. Gentleman has charged the Treasury with having starved and stinted the Post Office, and with having prevented from time to time great improvements in that Department. He has charged the Treasury with paying no heed to the public interest, but only desiring to extract as much out of the Department as they possibly could. I venture to tell the right hon. Gentleman that there is not the smallest foundation for that charge. Nor has the right hon. Gentleman brought forward a single instance in support of that most monstrous charge. I should have thought that if my right hon. Friend the Postmaster General, by good administration, shows an unexpected balance, that is rather matter for congratulation than condemnation. The right hon. Gentleman had spoken about starving and stinting the Post Office. If he were cognizant of the facts he would know that within the last 12 months the Treasury has sanctioned an increase of staff and an increase of pay to the staff which will not amount to less than £400,000 a year. I know what the amount is, the right hon. Gentleman does not——

*MR. SHAW LEFEVRE: I alluded to increase of salaries in the past year, and the Postmaster General a few nights ago, I think, put the figure at £220,000.

*MR. JACKSON: I have listened to the right hon. Gentleman with extreme disappointment. The right hon. Gentleman has filled the position of Postmaster General himself, and no one therefore can be in a better position to know what mischief exaggerated statements made in this House by men in his position are calculated to effect in the Service. I am sorry to have spoken with some warmth, but I know that these charges levelled against the Treasury are entirely without foundation, and I must say when they are made they ought to be supported by some evidence. It has ever been the duty of the Treasury since I have been there, and I think I may say the same of my predecessors, to sanction every improvement which was calculated to add to the public convenience proposed from time to time by the Postmaster General. I am quite sure if my right hon. Friend the Postmaster General were here he would repudiate the statement the right hon. Gentleman opposite has made.

*MR. SHAW LEFEVRE: I spoke mainly of improvements in the Service in the public interest. I did not speak of salaries.

*MR. JACKSON: But the right hon. Gentleman said starving and stinting.

*MR. SHAW LEFEVRE: This is not the first time I have dealt with the subject. I dealt with it last year. I never alluded in any way to the question of the staff. In alluding to the starving and stinting of the Service I meant solely to refer to improvement in the public interest.

(10.43.) MR. STOREY: I do not wish to enter into this dispute. I wish to recall the attention of the Chancellor of the Exchequer to a matter of infinitely more importance to the taxpayers. I spoke early in the evening, when the House was empty, and I wish to convince the Chancellor of the Exchequer that the remedy he proposed last year with regard to Inhabited House Duty has been futile in the extreme. Last year he admitted the grievance, and when I tell the House that that grievance involves the interests of many scores of thousands of citizens——

MR. JOHNSTON (Belfast, S.): Is it in order, Mr. Courtney, for an hon. Member to make the same speech over again?

MR. STOREY: As the hon. Member did not hear the last——

MR. JOHNSTON: Unfortunately, I did.

MR. STOREY: And as he has not heard the present speech, I think his attempt to convince the House that it will be the same speech is, at any rate, premature. I am not going to make the same speech, but I will make a better one. The subject is of importance to my constituents, and, I think, to many Members of this House. What the right hon. Gentleman did last year was to admit the grievance as to the levying of House Duty on tenement houses which were never intended to be included within the scope of the impost. After defeating the remedy we proposed from this side of the House, the right hon. Gentleman proposed a remedy himself, and it is contained in the 26th clause of the Customs and Inland Revenue Act of last year. I wish to assure him, on behalf of the householders throughout the country, that his proposed relief of the grievance has turned out to be futile in the extreme. He proposed to relieve these tenement houses and, as a matter of fact, he has not done so. The right hon. Gentleman has himself stated that, whilst he expected his modified Inhabited House Duty to yield £1,460,000, it has, as a matter of fact, during the past year yielded £1,570,000, and I want to state that in my judgment the excess of £110,000 is altogether or mainly due to the fact that the poor owners of tenemented houses have, owing to the peculiar drafting of the measure and to the difficulties thrown in their way by the public officials, failed to secure the relief we anticipated they would secure. I will give the Chancellor of the Exchequer the concrete instance on which I found this allegation. In Sunderland applications were made on behalf of the tenants and householders for relief from House Duty, and a test case was presented to the local Commissioners. That case related to a house of two storeys, with one front door, but with two tenants, one on the lower and the other on the upper floor. It was admitted before the local Commissioners that the house had been originally built many years previously for the purpose of accommodating two tenants, and that it had continued to be used as the habitation of two tenants up to the date of the application. The owner produced the certificate of the Medical Officer of Health that the House was in a proper sanitary condition. The local Income Tax Commissioners agreed that the house came within the Statute, and that the owner should not be liable to Inhabited House Duty. There we hoped the matter would have ended, and that the local Officers would have given effect to the decision in the test case and relieved all the different applicants in the town. The local Officer, however, wrote up to London and, under guidance of the Somerset House authorities, appealed to a Court of Law against the decision of their own Commissioners.

*MR. GOSCHEN: They are not their own Commissioners.

MR. STOREY: I know they are not their own in the sense of being paid Commissioners, but I know also that they are local persons who are appointed to deal with these matters because they are independent and reasonable persons. I want to know on what grounds the authorities in London put this poor owner to the cost of going to law on a matter of this kind? I have been looking at the Act, and I cannot conceive on what ground the Chancellor of the Exchequer will defend the action of the Board of Inland Revenue. This House is in precisely the same position as two cottages, except that, instead of the two tenements being side by side, they are one above the other. The only answer the Chancellor of the Exchequer can give is that there is one front door. This very question of a separate entrance was raised last year. An hon. Member asked whether it was to be understood that there was to be a separate entrance, and the Chancellor of the Exchequer said—

> "The hon. Gentleman will see that there are no such words in the clause."

The hon. Member then asked—

> "Will there have to be a separate entrance?"

And the Chancellor of the Exchequer said—

> "Why should the hon. Member wish to have the words? I believe, as I propose to amend it, the clause will meet the views of the Committee. It will be for the Sanitary Officers to decide whether the houses are properly adapted."

Therefore, I say that if the Sanitary Officer has decided that this was a sanitary dwelling, the mere fact that it has a common stair is not sufficient to exempt it from the operation of the Act. This, as a single instance, may seem extremely trivial, as it only involves a question of a few shillings a year. But these few shillings are to be multiplied by hundreds of similar sums in my own town, by thousands in the North of England, and by hundreds of thousands throughout the country. There are scores of thousands of instances in the large towns of tenements perfectly sanitary, inhabited by the working classes, and possessing a common door. There may be three or four instead of two tenants, but each set of rooms is to all intents and purposes a separate tenement. The purpose aimed at by the Committee last year, and conceded by the Chancellor of the Exchequer was that all these people should be relieved from Inhabited House Duty. An examination of the Debates that took place when that duty was first established shows that it was never intended that tenement houses, where the tenements were let for less than £20 a year, should come under the operation of the law at all. The object of the duty was to obtain an additional tax from people who were rich enough to own and to occupy a house with a value of more than £20 a year. It was never intended that the Inhabited House Duty should be exacted in the case of a house that was inhabited not by a single well-to-do family, but by several small families. I hope the Chancellor of the Exchequer will give us some assurance that he and his associates in London will not press the law in opposition to the Statute, as I think they are doing now, for the purpose of trying to justify an unjust impost. By frankly giving way in this matter and accepting the view the Government agreed to last year, he will give sensible relief to many thousands of persons throughout the country, and carry into effect that which was the intention of Parliament last year.

(11.0.) MR. J. M. MACLEAN (Oldham): Hon. Gentlemen opposite have not had the courage to make any direct attack on the Budget. Very few of them have attempted to criticise it in any of its details, but most of them have made haste to express their agreement with the manner in which the Chancellor of the Exchequer proposes to dispose of his surplus. But through all the speeches of hon. Members there ran a tone of general disparagement of the great and splendid financial reforms which the Chancellor of the Exchequer has achieved during the four years in which he has been in office. The right hon. Gentleman has accomplished three great reforms. The first is the great conversion of the National Debt, by which he has relieved the taxpayers of the country from the payment of £2,000,000 a year. Hon. Gentlemen opposite do not dare to say that that is not a great and successful work, but they have done their utmost to minimise its value by referring to the present prices of Consols, and trying to make out that the Chancellor of the Exchequer has not devoted so much money as their Ministry did to reducing the *corpus* of the debt. I was struck by one remark of the right hon. Gentleman the Member for Wolverhampton. The right hon. Gentleman said that no Chancellor of the Exchequer can take any particular credit for the reduction of the debt, as the matter is, for the most part, automatic. If that is so, what becomes of the elaborate attack made by the right hon. Gentleman the Member for Derby, who challenged the figures of the Chancellor of the Exchequer and tried to make out that the reduction of debt has not been so great as that made by the Liberal Administration? Another reform achieved by the Chancellor of the Exchequer is the putting upon a permanent footing the relations between Imperial and local taxation, an object long desired by Members on both sides, but which no one hitherto have had the courage or skill to accomplish. I gather from the speech of the Member for Derby that he complains that the Chancellor of the Exchequer has given £4,000,000 or £5,000,000 a year out of Imperial taxation for the relief of local taxation, and I drew the inference from the right hon. Gentleman's speech that when he came into power—may the day be long distant—he would make it his first duty to take away the grants from the local bodies and apply them to the reduction of the Income Tax and the abolition of the duty on tea. I commend that programme of the Front Opposition Bench to the attention of the County Councils and other Local Bodies who now enjoy such great aid from the Imperial Exchequer. The third great work accomplished by the Chancellor of the Exchequer is the provision for the nava defence of the country. There have been many dissertations on the offence the right hon. Gentleman is supposed to have committed in hypothecating some of the resources of future years in order to provide for a loan by which to raise the necessary money to place the Navy of the country in a state of efficiency. If we accept the doctrine that it is necessary to raise the Navy of the country to a certain standard, I cannot conceive any object for which it is more fitting for the Ministry of the day to draw largely on the future resources of the country. Are not our own resources mortgaged to an enormous extent by the National Debt? What was the object of that drawing upon the resources of posterity? It was to secure the independence of this country and the liberty of Europe, and the money was well invested, for the expenditure has given us 80 years' peace and commercial supremacy. When the Navy has once been raised to a proper standard it is easy to maintain it at a moderate expense from year to year. I desire to say a few words about the finance of the present year. When I listened to the Chancellor of the Exchequer the other night I was struck with one thing, which has not been much noticed in the present Debate, and it is that the expenditure of the country is increasing at an alarming rate. I cannot sufficiently express the admiration I feel for the Chancellor of the Exchequer when he denounced with noble wrath the policy of buying in the cheapest market, and said the Government would purchase both their material and labour at a fair price. That is a great change to undertake in the policy of the country. I admit that the Chancellor of the Exchequer is yielding to a very strong and irresistible feeling on the part of the people that the Government ought to be a model employer, and ought not to buy its material and labour as cheaply as possible, but should take care to get the best article and pay labour at a fair price. The people are the masters; they pay the taxation, and they have a right to say how their money shall be employed; but the new policy has led to a considerable increase in the Estimate of the year. Increase in wages is being demanded in every branch of the Civil

Service, and if the demand is granted there must be a very considerable increase of expenditure. If that is the case, I have some misgiving as to whether the splendid surpluses of the last few years will be continued in years to come. The revenue is not likely to increase in anything like the same proportion—in fact, the Chancellor of the Exchequer admitted the other night that we are now probably at the top of our prosperity. The surplus this year is very largely accidental, and I do not think it should be allowed to go forth to the country that the surpluses of the future will be sufficient to provide for the very excellent purposes which all have in view. If we are to carry out our policy it will be necessary for the country to prepare itself for some very great act of self-sacrifice in regard to the payment of fresh taxation in future years.

*(11.10.) Mr. GOSCHEN : I am obliged to my hon. Friend who has just sat down for the manner in which he has spoken of my general finance. I am not sorry that the hon. Member has laid some stress on the tendency to increase expenditure; but I think he somewhat exaggerated that portion of my speech which dealt with the fact that the country had given us the cue not to buy in the cheapest market but the best. I trust that my hon. Friend will continue to pay some attention to the increase of expenses in all Departments of the State. The right hon. Member for Bradford (Mr. Shaw Lefevre) censured the Government for meeting the wants of the Military and Naval Departments while they are so economical with regard to the Treasury. The right hon. Gentleman would prefer that we should starve the Army and Navy in order to be extremely generous to the Post Office. He appears to attach more importance to a parcel being sent cheaply than to a war ship being built to defend our coasts. But, if the accounts are not so simple as before, a great and successful effort has been made to strengthen the Navy. I will not, however, say anything with regard to what the right hon. Gentleman calls complicated shifts and devices for meeting the Naval Expenditure. Before we lay down the seals of office we shall have paid off a considerable portion of the loans, and if we have produced some complexity in the accounts, which are certainly not so simple as formerly, our successors, whoever they may be, and whenever they may come into office, will find a stronger and a better Fleet than this country ever possessed before. I turn now to answer one or two of the minor points raised. I am glad to see that the hon. Member for Sunderland has returned to his place, and I must say I think it is a compliment to the Budget that amongst the many topics which might have been opened by the hon. Gentleman one of his chief attacks has been upon the decision of some of the local officials of the Inland Revenue Office at Sunderland. Still, I think the hon. Gentleman would have done better if he had not introduced such a very local topic into a discussion on the Budget.

Mr. STOREY : The right hon. Gentleman forgets that I spoke to him on the point some weeks ago, and he failed to give me a satisfactory assurance.

*Mr. GOSCHEN : I can only now say that further investigation will be made into this matter, and if there are any cases of hardship I shall be glad to look into them, as the Government desire to do justice in this matter. We have proved our desire to do that by sending down an Inspector. The hon. Member for the City of London has spoken of the colonial contributions. Now, I put it to the Committee that if our colonies are progressing in wealth, population, and every other attribute of prosperity, it is but fair that they should in some fixed proportion bear the increased cost of defence. I believe that that is a self-evident proposition. Fortunes are made in our colonies by firms which pay no Income Tax upon their profits, and seeing the advantages they derive from the protection of this country, it is only fair to the British taxpayer that the colonists should bear their fair share of the increased and increasing costs of defence. I do not wish to say one word which would bear hardly upon the colonies, but I think I have made out my case on that point. It has been suggested that a Statement of Accounts should be prepared and printed with the Budget, just as the Statements of the Army and Navy are printed. That is a matter worthy of consideration, but I may point out that all these Parliamentary Papers and Returns are not always read by the great public at large, and therefore it is the duty of the Chancellor of the Exchequer, in his annual statement, to introduce a very full explanation irrespective of the Returns, so that the public, which has not the same facilities of access to the printed Returns, may understand the position of affairs. Since I addressed the House last I have had an opportunity of looking into the figures suggested by the right hon. Gentlemen the Members for Derby and Wolverhampton. There is not a single figure in the Budget Statement by which I am not prepared to stand. I have refreshed my memory as to the exact method by which the £37,000,000 I have given with respect to the payment of Debt is made up. It is constituted of the amount paid inside of the permanent charge during five years, with the addition of the surpluses secured during that period. There is no doubt whatever on the subject. The amount within the permanent charge is £26,600,000 and the amount of the surpluses £10,900,000. These together make the £37,000,000. The right hon. Gentleman the Member for Derby has not broken down a single figure given in the Budget statement. The figure with which the £37,000,000 was contrasted by me—the £24,000,000 —was constituted of £27,550,000 paid off within the permanent charge by the Governments of the period, less a deficit of £3,000,000. These figures are absolutely correct, but it is true that if one very unfortunate year, in which large expenditure was incurred, had been left out, the contrast would not have been so great. Then with regard to the other point raised by the right hon. Gentleman the Member for Derby, namely, that the present Government have only paid off £27,000,000 while I have claimed £30,000,000—I have claimed the larger sum as having been devoted from the taxes to the payment of Debt, because I added to the £26,800,000 actually paid an item of £2,000,000 paid in connection with the conversion expenses. This was money spent in the reduction of Debt as much as the rest of the £30,000,000. It is clear that the right hon. Gentleman the Member for Derby has not had sufficient time to study the figures, but he ought not to have rejected so readily the figures given in the Budget statement.

*(11.27.) Mr. H. H. FOWLER: I do not propose to resume the controversy at this moment, but I will ask for a continuation of the Return asked for by my right hon. Friend as soon as possible. I may at once admit, as far as my own figures are concerned, that the Chancellor of the Exchequer was not credited in the amount paid for the reduction of Debt with the £2,000,000 spent on the expenses of Conversion. But I still adhere to my statement that in the years 1881-85 the amount paid out of the taxes in the reduction of Debt was £34,000,000. If the right hon. Gentleman will give us the Return asked for, the House will be able to judge for itself.

*(11.29.) Mr. MORTON: The right hon. Gentleman has not replied to my question as to the Income Tax Assessment.

*Mr. GOSCHEN: I beg the hon. Member's pardon. I admit there is considerable force in the argument that the Income Tax should be paid on the net instead of the gross value. But this reform must be taken in hand with many other changes in the Income Tax, and though I am not so pessimistic as the right hon. Member for Mid Lothian, who thinks the re-construction of the Income Tax would take a century, still I agree that the reform would take a considerable time, and more time than the First Lord of the Treasury will be disposed to allow me this year.

*(11.30.) Sir E. J. REED (Cardiff): I must say I am unable fully to sympathise with the remarks made by my right hon. Friend near me with regard to the naval policy of the Government, for I believe that every day we derive great benefit in our relations with other States from the fact that we are a strong Naval Power. If I thought that the Naval Expenditure made no return to the country I should be one of the first to offer opposition to it. But believing, as I do, that there is no portion of our expense from which the country derives anything like so great a national benefit, I think it is a pity that this Expenditure on our naval power should be depreciated on so many occasions. I have thought

it right to say that, although in saying it it must not be taken that I assent to the particular methods adopted by the Government to meet the Expenditure. I was rather surprised on this point at the speech of the hon. Member for Oldham. That hon. Member made a powerful speech on the Naval Defence Act when it was before the House.

MR. J. M. MACLEAN: It is quite true I did express some doubt as to the absolute necessity of the proposed addition, but the policy having once been accepted by the House, it resolved itself into a financial operation. The raising of the money by loan was perfectly legitimate. That constitutes quite another question.

*SIR E. J. REED: I noticed with some apprehension the ambitious criticism on the finances of the State from this side of the House to-night, but I do not think I need follow them up. I am sorry the Secretary to the Treasury is not in his place. I heard with surprise the attack of the Secretary to the Treasury on my right hon. Friend tne Member for Central Bradford, who stated that the Postmaster General was unable, as a rule, to carry out improvements in the Postal Service because of the interference of the Treasury with the proposals. I listened with astonishment because I have always believed that if there is anything connected with public financc which is not only admitted but proclaimed, it is the doctrine that the Postmaster General is practically a subordinate of the Treasury and is controlled by that Department He quoted words of the Postmaster General himself to the effect that the Post Office was never in a position to give effect to its promises without consulting the Treasury.

MR. JACKSON: My objection was that the charge was made without the smallest evidence in support of it.

*SIR E. J. REED: My right hon. Friend quoted from a Parliamentary Return the details on which he rested his case. I think the Secretary to the Treasury mistook altogether the meaning of my right hon. Friend. On a recent occasion, when a Motion with reference to the Post Office was under discussion in this House, my right hon. Friend was good enough to tell me he could take no part in the Debate if it took the form, as it seemed likely to do, of instigating a claim for an increase of salary on the part of officers of the Department. Therefore, I do not think the Secretary to the Treasury was justified in the attitude he adopted towards my right hon. Friend. As to the general subject of discussion to-night, I do not think that the Chancellor of the Exchequer has a right to complain of any undue anxiety on this side of the House to have the national finance closely watched and carefully criticised. It seems to me of the utmost importance that the House should carefully watch such questions as contributions from Imperial Funds to local purposes in dealing with which endless confusion might arise, and especially the question of providing for the Public Service by means of loans falling on the future. It has been said that the extraordinary Naval Expenditure need not entail increased Naval Expenditure in the future. I am afraid, however, that the increased Naval Expenditure is being applied to purposes (I do not complain of them) which will necessarily entail increased Naval Expenditure in the future. In the first place, it is being applied to the production of ships of enormous size, and, judging from the experience of the past, those ships will entail the maintenance of an enormous crew and staff of officers. The increase of expenditure is being applied also to small vessels, which require separate officers and crews, and I believe it will be found that we must have a considerable increase in the number of officers with a view to the future constitution of the Fleet. The First Lord of the Treasury and the Chancellor of the Exchequer, who have both presided over the Admiralty, are aware how important it is to keep down the Naval Lieutenant's List, which otherwise will go to swell very much the cost of pensions. I can only say, in conclusion, that I sincerely hope—in the interest of national finance and the well being of the country—that the Government, while indulging in this large increase of Expenditure, will do everything it possibly can to secure a concurrent reduction of cost in the less important branches.

*(11.42.) MR. W. H. SMITH: I venture now to appeal to the Committee to give the Government the Resolutions. If further opportunity is required for

discussing the finance of the year and the interesting topics raised by hon. Members opposite, it will be afforded on the Second Reading of the Bill. It is obvious that the taxes imposed by the Resolution ought not to be held in suspense.

(11.43.) Mr. ILLINGWORTH (Bradford, W.): The hon. Member for Cardiff has very properly warned the Committee and the country that these spasmodic efforts to increase the strength of the Navy will involve an increased annual charge for its maintenance. I do not wish to condemn the proposals of the Government all round. The Chancellor of the Exchequer has turned round on himself, and acceded to the universal feeling on this side of the House in favour of free education, and I wish to discriminate, therefore, between the proposals of the Government. I confess that I have no confidence whatever in the idea that increased security has been given to this country by the increase of the Navy. What has been the result of this increase of our Navy? The result has been that every country in Europe is hurrying to follow in our track.

*Sir E. J. REED: I deny that Italy and Austria have followed our example.

Mr. ILLINGWORTH: If they are not developing to the extent that our spasmodic increase would require, it is only because they have not the finances. But the disposition is there; and there is not a Minister of Marine in any Cabinet in Europe who does not urge the necessity of further development on his Parliament because of what has been done in this country. I protest against its being supposed that we are doing anything for the increased safety of the country by this increased Expenditure. Are we sure that the increase of the Navy is not coupled with an engagement on the part of the Government to defend Italy in certain contingencies? I think Her Majesty's Government would have been more usefully employed in setting on foot some system of arbitration; and I hope on another occasion to join with others in pressing on the Government to give ear to the appeals which come to us from America in this direction.

(11.50.) Mr. SEXTON (Belfast, W.): I think it would be convenient that the Irish Members, before they agree to the proposal to hypothecate Irish resources, should know what proportion of the sum to be given to free education is to be applicable to Ireland, and also whether the Chancellor of the Exchequer will consider the suggestion to improve the salaries of the Irish National School teachers out of the sum so allocated. It would be convenient to the Irish Members to have some intimation of the intention of the right hon. Gentleman before we part with the clauses of the Land Purchase Bill, as the final form those clauses may take may to some extent depend on the Budget proposals. I would also ask the right hon. Gentleman that before he finally makes up his mind on these matters he should take care to inform himself as to the views of the Irish Members.

*(11.52.) Mr. GOSCHEN: The hon. Member should remember that while it is my duty to find the money, it is not for me to consider its precise application. The question of the hon. Member should be addressed to the Chief Secretary for Ireland. On a former occasion I assured the hon. Member that considerable weight would be attached to his suggestion, and further than that assurance I could not go.

Mr. SEXTON: What will be the probable amount allocated to Ireland?

*Mr. GOSCHEN: If £1,000,000 is in question, probably £100,000 will be the amount; if £2,000,000, the probable amount will be £200,000. I cannot speak positively to a few thousands more or less. I think the figures would not be quite so large as I have stated.

(11.54.) Colonel NOLAN (Galway, N.): I trust the right hon. Gentleman is not going to withdraw from the intimation he gave on the Budget night to the effect that a portion of the money will be disposed of in Ireland, in a similar way to that in England—that is to say, in relief of school fees. That would have a beneficial effect on the salaries of the teachers, though not so much in regard to class salaries.

*Mr. GOSCHEN was understood to say that he would consider the point.

Question put, and agreed to.

Tea.

1. Resolved, "That, towards raising the Supply granted to Her Majesty, the Duties of

Customs now chargeable on Tea shall continue to be levied and charged on and after the first day of August, one thousand eight hundred and ninety-one, until the first day of August, one thousand eight hundred and ninety-two, on the importation thereof into Great Britain or Ireland (that is to say) on—

Tea . . the pound . . Four Pence."

INCOME TAX.

2. Resolved, "That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for the year which commenced on the sixth day of April, one thousand eight hundred and ninety-one, in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act of the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, the following Duties of Income Tax (that is to say):—

For every Twenty Shillings of the annual value or amount of Property, Profits, and Gains chargeable under Schedules (A), (C), (D), or (E) of the said Act, the Duty of Sixpence;

And for every Twenty Shillings of the annual value of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act—

In England, the Duty of Three Pence;
In Scotland and Ireland respectively, the Duty of Two Pence Farthing;

Subject to the provisions contained in section one hundred and sixty-three of the Act of the fifth and sixth years of Her Majesty's reign, chapter thirty-five, for the exemption of persons whose income is less than One Hundred and Fifty Pounds, and in section eight of 'The Customs and Inland Revenue Act, 1876,' for the relief of persons whose income is less than Four Hundred Pounds."

AMENDMENT OF LAW.

3. Resolved, "That it is expedient to amend the Law relating to the Customs and Inland Revenue."—(*The Chancellor of the Exchequer.*)

Resolutions to be reported to-morrow at Two of the clock.

Committee to sit again upon Wednesday.

MAIL SHIPS BILL.—(No. 163.)

As amended, considered.

Amendment proposed, "to leave out Clause 2."—(*Sir J. Fergusson.*)

Question proposed, "That Clause 2 stand part of the Bill."

(11.58.) DR. TANNER (Cork Co., Mid): This Bill was brought in by three important Members of Her Majesty's Government, two being the Attorney General and the Solicitor General——

*MR. SPEAKER: Order, order! The hon. Gentleman is not speaking to the Amendment.

DR. TANNER: I was endeavouring to lead up to the Amendment, Sir.

*MR. SPEAKER: Order, order! The hon. Member is trifling with the House.

DR. TANNER: The Amendment in question is, as far as I can read, in pages 1 and 2, to leave out Clause 2. I wanted to ask how it came to pass that on an important measure of this sort, when the House will recollect that the other evening we objected——

*MR. SPEAKER: Order, order! The hon. Member will resume his seat.

DR. TANNER: I bow to your ruling, Sir.

Question put, and negatived.

Amendment made.

It being midnight, Further Proceeding stood adjourned.

Bill, as amended, to be further considered to-morrow, at Two of the clock.

COMMISSIONERS FOR OATHS ACT (1889) AMENDMENT BILL.—(No. 244.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again to-morrow, at Two of the clock.

TRUSTS AMENDMENT (SCOTLAND) BILL.—(No. 209.)

Considered in Committee, and reported; as amended, to be considered to-morrow, at Two of the clock.

MOTIONS.

COUNTY COUNCILS (PURCHASE OF LAND) BILL.

On Motion of Mr. Haldane, Bill to enable County Councils to value and purchase land, ordered to be brought in by Mr. Haldane, Mr. Asquith, Sir Edward Grey, Mr. Sydney Buxton, Mr. Arthur Acland, and Mr. Munro Ferguson.

Bill presented, and read first time. [Bill 294.]

VAGRANCY (SCOTLAND) BILL.

On Motion of Mr. Haldane, Bill to amend the Law of Vagrancy in Scotland, ordered to be brought in by Mr. Haldane and Mr. Duff.

Bill presented, and read first time. [Bill 295.]

House adjourned at a quarter after Twelve o'clock

HOUSE OF LORDS,

Tuesday, 28th April, 1891.

REPRESENTATIVE PEERS FOR IRELAND.

Lord Auckland (Claim to vote for Representative Peers for Ireland)—Ordered and Directed, That a Certificate be sent by the Clerk of the Parliaments to the Clerk of the Crown in Ireland, stating that the Lord Chancellor of the United Kingdom has reported to the House of Lords that the right of the Lord Auckland to vote at the elections of Representative Peers for Ireland has been established to the satisfaction of him the said Lord Chancellor; and that the House of Lords has ordered such Report to be sent to the said Clerk of the Crown in Ireland: And it is hereby also Ordered, That the said Report of the said Lord Chancellor be sent to the Clerk of the Crown in Ireland.

COLONISATION.

Message to the House of Commons for copy of the Report, &c., from the Select Committee.

ARMY SCHOOLS BILL.—(No. 83.)

Reported from the Standing Committee without amendment; and to be read 3ª on Thursday next.

CHARITIES (RECOVERY) BILL.—(No. 84.)

Reported from the Standing Committee, with an amendment: The Report thereof to be received on Thursday next.

MERCHANDISE MARKS BILL.—(No. 86.)

Reported from the Standing Committee without amendment; and to be read 3ª on Thursday next.

SAVINGS BANKS BILL.—(No. 88.)

SECOND READING.

Order of the Day for the Second Reading, read.

*THE SECRETARY TO THE BOARD OF TRADE (Lord BALFOUR of BURLEIGH): My Lords, I need not detain your Lordships more than a very few minutes in moving the Second Reading of this Bill. Its object is to amend some of the provisions of the Act of 1863, which is the principal statute relating to trustee savings banks at the present time. The operation of that Act was the subject of a somewhat lengthened inquiry extending over two years by a Committee of the House of Commons. That inquiry was undertaken in consequence of the public mind being agitated by some serious failures of trustee savings banks that had taken place. Although this is an amending Bill, yet it does not amend the provisions of the Act of 1863 in any material point. Its main purpose is to provide means whereby the rules and regulations of the Act of 1863 can be efficiently carried out. I do not know that anyone finds serious fault with the provisions of the Act of 1863, and the conditions that are therein laid down for the management of savings banks. But it is obviously useless to lay down the most valuable provisions that can be devised if no authority is provided to see that those rules are carried out. Now, that is the case with regard to the Act of 1863. In it there are most valuable provisions and regulations laid down which everybody who cares for the prosperity of savings banks will, I think, admit to be in themselves salutary, but there is no power enacted to ensure that those provisions and regulations shall be properly carried out. The failures to which I have alluded of some of the savings banks arose, I may say, not from the insufficiency of the regulations, but because those regulations were disregarded. The leading provisions of the Bill provide for the appointment of a Committee—the Members of which are named in the Schedule—and that Committee is to draw up rules for the future guidance of trustee savings banks, and for the future guidance of a permanent Committee which is to be appointed to see that those rules and regulations are carried out. The drawing up of those rules and regulations may probably take some time, and require a certain amount of skilled knowledge. The names of the gentlemen mentioned in the Schedule will, I think, afford a sufficient guarantee that they will perform the work well. When the rules and regulations have been framed they are to be laid down before both Houses of Parliament, so that Parliament may have the opportunity of sanctioning or refusing to sanction them. If the rules and regulations laid down by the Committee are not properly carried out by the savings Banks, the National Debt Commissioners, with whom the money to be lodged in the savings banks is to be invested, and who are to pay interest upon it, may, if they think fit, close the accounts of the Trustees of any savings bank. The indirect, or rather the tolerably direct, effect of that would be that in those cases the savings banks could not be carried on. Another point in which the Act of 1863 is to be amended, and in this respect to be made a little more stringent, is this: At the present time it is the practice of some savings banks to publish lists of names of well-known individuals who act either as Trustees, or Chairmen, or Presidents, or in some way or other are connected, or supposed to be connected, with those savings banks, but whose office is purely honorary, who know little or nothing about the business of their banks, and pay little or no attention to it. That practice operates in this way: the depositors are lulled into a false security by the existence of those lists of names, but, as the owners of those names pay no attention to the business of the bank, they afford no real ground for the feeling of security and confidence which the publication of their names gives rise to. One of the provisions of this Bill is to the effect that if during a specified period no act is performed by the gentlemen whose names are so published they are to cease to hold office, and their names are to be no longer published in connection with the bank. One other point of sufficient importance for me to mention it to your Lordships is dealt with and altered in this Bill. At the present time neither in a trustee savings bank nor in the Post Office Savings Bank can the total amount deposited by any one exceed £150, but interest may accumulate upon money so deposited up to £200, and no further. This provision has given rise to considerable confusion and difficulty. Supposing a depositor puts in £145, and his money then accumulates beyond £150, may he or may he not deposit the £5 necessary to make up his capital deposit to £150? That is one difficulty. Then a great deal of confusion and difficulty have arisen in keeping accounts of savings banks in distinguishing whether the money lying in depositor's names above £150 has really been deposited as capital or accumulated as interest. Accordingly, the Bill proposes to sweep away the distinction between money which has been deposited as capital and money which has accumulated as interest, and to allow any depositor to have in his name as much as £200, whether it is deposited as capital or whether it has accumulated as interest, but no interest will be allowed on any deposit beyond the sum of £200. There is one provision which is not in the Bill, which, in pursuance of a pledge given in the other House of Parliament, the Government will propose to insert in the Bill during its passage through this House. At the present time no one may deposit in the Post Office Savings Bank more than £30 in any one year, and hardship has arisen under this provision. Supposing, when some emergency arises, the owner of a deposit withdraws a sum for use in that emergency; when the emergency is past he cannot re-deposit in the savings bank, if he has the money, more than the £30. Supposing he has withdrawn for some purpose £50 from his account, he cannot, until the expiration of the year which is then current and the commencement of the ensuing year, re-deposit the whole of his £50; he can only deposit £30 in one year, and must wait until the next year to re-deposit the balance. That operates in some cases as a distinct discouragement to thrift, and the problem to be solved is how to give permission to a depositor who has really only withdrawn his money for a temporary emergency to re-deposit such an amount as he may wish without at the same time giving rise to the belief that these savings bank accounts may be treated as ordinary current accounts from which money may be withdrawn, and into which money may again be deposited, as if it was an ordinary current account with a bank. The object of the Amendment which I shall propose at the proper time will be to endeavour to draw a distinction between those two cases. As this, and indeed almost all the provisions of the Bill, are so much more matters for consideration in Committee, being merely upon details, I propose to say no more in moving the Second Reading now, except that I propose to take the Committee stage in the House on an early day, and then to allow a reasonable time before putting down the Bill for consideration by the Standing Committee, so that the details of it may be fully considered by your Lordships. In these circumstances, I beg now to move the Second Reading of the Bill.

Moved, "That the Bill be now read 2ª."—(*The Lord Balfour of Burleigh.*)

Lord DENMAN: My Lords, it is clear from the statement of the noble Lord who has just spoken that this is a Money Bill, and that there are Amendments to be proposed which, of course, would not be accepted in another place. As a Trustee of a savings bank, I very much object to the whole of the powers of the Commissioners of the National Debt being transferred to a few individuals who are named in the Schedule to the Bill. The danger of the savings banks is that the interest allowed to them being rather below the Post Office rate of interest, gives the Post Office Savings Bank such an advantage that everybody is likely to go there and to desert the other savings bank. But your Lordships must recollect that in imposing all this additional trouble upon the Post Office it will be necessary to increase the staff of clerks, and the gratuitous services of managers, trustees, and others will be entirely disregarded. I think that this is a very dangerous Bill, and though I am generally in a minority, without a Teller, I hope I shall not be so on this occasion, and I beg to move that the Bill be read a second time this day 10 months.

Amendment moved, to leave out ("now,") and add at the end of the Motion ("this day ten months.")—(*The Lord Denman.*)

*Lord STANLEY of ALDERLEY: My Lords, before asking the question which I desire to put, I should like to say that I am very glad to hear of the two important reforms in regard to savings banks which the noble Lord proposes in this Bill—that is to say, as to increasing the limit of deposits from £150 to £200, and as to giving powers for the purpose of allowing persons who may have withdrawn money for emergencies, or for merely temporary purposes, to replace it, notwithstanding the £30 annual limit. What I want to ask the noble Lord is whether the Government will either move or accept amendments for increasing the maximum amount of deposits which may be made in any one year? At present it is only £30 in this country, while in France and Belgium the amount is as much as £80 which may be placed in one year upon deposit. That is undoubtedly an encouragement to thrift. No doubt the limit of £30 has been fixed in the interest of the small banks; but as the Chancellor of the Exchequer has lately disregarded the licensed victuallers, I hope he will be able to disregard in this matter the clamour of the small banks.

On Question, whether ("now") shall stand part of the Motion, resolved in the affirmative: Bill read 2ª accordingly, and committed to a Committee of the Whole House on Tuesday next.

LONDON (CITY) TRIAL OF CIVIL CAUSES BILL.—(No. 103.)

COMMITTEE.

Order for the House to be put into Committee, read.

Lord HERSCHELL: My Lords, before the House resolves itself into Committee, I should like to ask my noble and learned Friend who has charge of this Bill for an explanation of its object—that is to say, at whose instance the change proposed is to be made. I unfortunately omitted to observe the Bill yesterday in the Orders of the Day for Second Reading. I would remind your Lordships that some years ago, owing to the Report of the Royal Commission upon these matters, the trial of all causes, whether arising in the City or in the County of Middlesex, was transferred to the new Law Courts, and the sittings for the trial of causes which used to take place at Guildhall were abandoned. It was thought at that time to be to the public advantage that the trials of causes which used to take place in the City Courts, as well as those in the High Court, should all be conducted under one roof. I want, therefore, to ask my noble and learned Friend the Lord Chancellor at whose instance this proposed change is to be made? When I first saw that such a proposal was on foot, a proposal which

I may say, as far as I can learn, was never explained in the House of Commons—I believe that the measure passed through the other House without any explanation at all, and that it was passed through all its stages very rapidly—I addressed myself upon the matter to those who were likely to know, thinking that perhaps the solicitors practising in the City, and who are engaged largely in commercial cases, had applied to my noble and learned Friend to make such a change. Now, as far as I can learn, there is no keen desire at all on their part for this change, or any pressure for a return to the old system of trying these cases at the Guildhall. I do not know whether the proposal proceeds in any way from the Incorporated Law Society. So far as I am aware, it does not, nor from the mercantile community generally. Therefore, I desire to ask my noble and learned Friend, before the Bill goes further, who is it that desires this Bill should be passed; what representations have been made to him on the subject; and whether he has consulted such bodies and persons interested in the matter, as those to whom I have alluded; and, if so, what information he has received from them?

THE LORD CHANCELLOR: In answer to the questions put by the noble and learned Lord, I will explain that the necessity for the Bill arises from the fact that by an Order in Council it was arranged that no sittings of Judges of the High Court should be held in the City of London. My attention has been called by a great variety of persons to the diminution of City causes—that is to say, what are generally called commercial cases, and I have been told that one great objection to the present arrangement is the inconvenience it causes to business men in the City. It is stated that business men will not, if they can avoid it, go out of the City in business hours. I am not aware of any particular magic accompanying the trial of causes in the City of London, and it is rather the inconvenience which has been called to my attention that I have endeavoured to obviate and remedy. The noble and learned Lord acting with me and myself have agreed that, with that object, sittings in London should be tried as an experiment. Then our attention was called to the result of the Order in Council, that all trials should take place in the Royal Courts. One inconvenience is that when all the Judges are able to give full attention to their judicial work in the Royal Courts, there are not Courts enough for them, which naturally has extremely inconvenient results to suitors and parties concerned. Another great disadvantage at present is that it is difficult to ascertain precisely when causes will be heard; but if these trials were to take place in the City Courts proper, those who are engaged in commercial cases would know when they were coming on. I may say that I had a great variety of information given to me upon the matter, the details of which I am unable to give at this moment; but I came to the conclusion that at all events it was desirable to try, as an experiment, whether this would not remove the block of commercial causes, which is alleged now to be so great that people will not go to trial with their actions, and they do not like to go to arbitration. In the circumstances, I think it will be seen that the experiment is, at all events, a very desirable one to try, and it is in order to give the opportunity of trying the experiment that the introduction of the present Bill has become necessary.

House in Committee (according to order).

Clause 1.

LORD HERSCHELL: I must say I cannot regard the answer of my noble and learned Friend as in the slightest degree satisfactory. It seems that a certain number of unnamed persons, in whose views my noble and learned Friend professes absolute confidence——

THE LORD CHANCELLOR: Not absolute.

LORD HERSCHELL: Well, I omit "absolute," and I will say that it seems a number of persons, in whom my noble and learned Friend, for the purposes of this Bill, places confidence, have told him that they consider that City causes will become more numerous, and the disposal or administration of them more popular, if this change is made. Now, surely the persons who are best able to judge in such a question as that are the solicitors who are chiefly engaged in these commercial causes. They know best whether the reason which the noble and learned Lord has given for the diminution in the number of these causes is really that which he suggests, namely, the inconvenience of the present place of trial. I am informed by those who are as competent to advise on the matter as any of the persons who, I suppose, have been giving information upon it to my noble and learned Friend can be, that that is not really the cause of the diminution of City cases, that the reason for it has nothing whatever to do with the place of trial, and that to transfer them to the City for trial is not likely to add to their number, while it has still more obvious disadvantages. I should have thought that upon such a question as this the noble and learned Lord would have considered it right to consult the Incorporated Law Society, or those members of that body who are more especially conversant with such a subject as this. One would like to know, too, whether he had made any inquiries, or had received the views of the Bar upon the subject. I do not, of course, for a moment suggest that the views of either of those bodies, as representing the legal profession, should be taken as conclusive in such matters affecting the public interest generally — I hope they never will be—where any question with regard to the conduct of litigation is concerned; but I would submit to your Lordships that if a change of this kind is to be made without an opportunity being afforded of ascertaining what their views are, the House will be legislating in the dark, especially when we are not even told who those persons are whose authority has been quoted, but whose names, whose means of knowledge, whose situation and calling in life are absolutely undisclosed to us, although they seem to have convinced the mind of my noble and learned Friend.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, the observations of the noble and learned Lord open up rather a wide vista of new constitutional practice. This Bill comes from the House of Commons. In the House of Commons there sit two Members for the City of London. I presume they know something of what their constituents desire. In the House of Commons there sit a considerable number of solicitors, who are probably at least as able as other members of their profession, and I presume it may be taken that they would have found out any objections to the measure if they had existed, but the solicitors were silent. The Attorney General sits there as head of the Bar; and if the Bar were strongly averse to this measure, probably he would have had something to say to it. But the Bill has passed through the House of Commons with absolute unanimity. I must say the noble and learned Lord who has just spoken is calling for a large amount of that faith which we are, I am sure, always desirous of putting in him when he asks us upon his own authority simply to dispel this cloud of witnesses by whom the Lord Chancellor has considered himself justified in being persuaded, having also, I believe, consulted the heads of the law, and having, as I have said, satisfied himself with the authority of persons whose evidence he believed. The noble and learned Lord seems to have consulted nobody; and not having fortified himself with the authority of anybody, asks the House now, upon the ground that he has not had the opportunity of doing anything to refute the testimony of all those persons whom I have enumerated, not to accept this measure. Last night we were a good deal blamed because we had not, before introducing a Bill into this House, laid it before another Assembly; but the doctrine is going further, and apparently we must not introduce Bills into this House until we have laid them before the Incorporated Law Society in order to obtain its assent.

LORD HERSCHELL: I protest against the noble Marquess putting into my mouth words which I have never used. The noble Marquess says I have proposed a new principle of constitutional practice; but it is a new principle to me that, because a Bill has passed the House of Commons without discussion, your Lordships should pass it without a sufficient explanation from the noble and learned Lord who has introduced it into your Lordships' House. My noble and learned Friend has, I submit, introduced it without giving the reasons upon which it is founded, and without showing that it is a measure which is called for, and is likely to work well. That was what I asked for, and what I think one has a right to ask for in this House; because one knows this perfectly well, that frequently at the present time measures which are of a character not gravely controversial pass through the other House without any discussion whatever. Owing to new Regulations which have been made, measures of this description are not discussed—there is no opportunity of discussing them, and they pass through without discussion. I think it not unreasonable, therefore, that when those measures come before your Lordships' House it should not be taken for granted that there is nothing to be said on the subject. Very often it happens that the only information which the public obtains that such a measure is in progress is when it comes before your Lordships' House, and then it is sometimes seen to be open to grave objection, even by Members of the other House, who may have allowed it to pass, when it comes to be considered here. Therefore, I cannot assent to the proposition of the noble Marquess, that when a Bill passes through the other House without discussion, we ought not to discuss it here. The fact that it has so passed is a reason why one should hesitate much before asking your Lordships to reject it; but it does not prevent one asking for a statement of the reasons for the measure, which I must confess in this case do not appear to me to be overwhelming.

The LORD CHANCELLOR: My Lords, I do not think we need discuss this Bill at greater length. The noble and learned Lord has, I think, exaggerated the nature and effect of the Bill. It is a very little one, consisting only of two clauses in a few lines, and is, as I have explained, simply for the purpose of enabling these causes to be tried in the City of London; which, I may say, had, until the recent change, always been done in my experience. It enacts that sittings may be held in the City of London by Judges of the High Court under commission issued for the trial of issues or inquiries in cases at *Nisi Prius.* It is desired that this experiment should be made, and, after all, the responsibility of asking for power to try the experiment must be upon the Minister who introduces the Bill. I do not deny that my noble and learned Friend is entitled to ask for explanations, and I have given him such information as I thought right, without giving the names of people who would not be at all desirous to have a discussion raised about them as to whether they were fit or competent persons upon whose information to act. If the experiment is not found to be successful, I do not think there would be any desire on the part of Her Majesty's Government, or anybody else, that it should be continued. But I think, my Lords, it is desirable that it should be tried.

Clause agreed to.

Remaining clauses agreed to.

Bill reported without amendment; Standing Committee negatived; and Bill to be read 3ª on Thursday next.

INTERMEDIATE SCHOOLS, &c., SITES BILL [H.L.].—(No. 94.)

Order of the Day for the Third Reading read, and discharged.

House adjourned at five minutes past Six o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 28th April, 1891.

The House met at Two of the clock.

PRIVATE BUSINESS.

NORTH BRITISH RAILWAY (WAVERLEY STATION, &c.) BILL [LORDS]—(*by Order.*)

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

(2.15.) DR. CLARK (Caithness): I beg to move as an Amendment that the Bill be read a second time on this day six months. I oppose the Bill on two grounds — first, because I think the North British Railway Company can get all they want better and cheaper in another manner; and, secondly, because they propose to take away a portion of the Princes Street Gardens in Edinburgh, and to make the line in that particular locality more odious than it is at present. I think that the company ought not to be permitted to take any further portion of the gardens so long as there is plenty of other land belonging to private individuals in the immediate neighbourhood to which they may go for the extension of their line. Edinburgh occupies a singular position, and in opposing the Bill I am animated not only by a sentimental feeling against the destruction of one of the prettiest streets in Europe, and probably in the world, but by a firm opinion that the passing of the Bill will have a very detrimental effect upon the City of Edinburgh itself. Lord Moncreiff, who was long a Member of this House, and is now a Judge upon the Scottish Bench, in a speech delivered in 1875, said—

> "The City of Edinburgh, of which we are all so proud, and of which Scotland and Britain has good reason to be proud, if it has not the wealth, nor the manufactories, nor the commerce, that are the boast and glory of other cities in this country, has at least one quality in which it stands unrivalled. That is its wonderful beauty—its natural beauty, from the position in which it stands, and the many objects of interest by which it is surrounded. I can only say for myself, that although I have not been a great traveller in my day, I have seen something of other lands and cities, but I have never anywhere seen anything equal to the beauty of 'mine own romantic town.' That is not mere sentiment. The truth is, the beauty of Edinburgh is one of its most important material advantages. It attracts strangers; it delights our eyes every day that we walk its streets, and anything which destroys or mars it, is not only a sentimental, but a practical evil or grievance."

This Bill will do much to destroy the beauty of Princes Street, and if we give the Railway Company these powers they will ask for more, until the whole of Princes Street Gardens will be in their hands, and will become nothing but a big railway station. Lord Cockburn expressed similiar views to those of Lord Moncreiff as to the ruin which the encroachments of the Railway Company may inflict upon the amenities of Edinburgh. He said—

> "A scheme is now afloat, which, if carried into effect, will very greatly injure the west half of the North Lock, and worse than ruin the east half. It is proposed to bring the Glasgow Railway along the whole valley, tunnelling under the Mound, and joining other railways under the North Bridge. The result will, in time, practically be, that the whole of that beautiful ground will be given up to railways, with their yards, depôts, counting houses, and other abominations, at least on the east side, which will ruin the peculiarity of the valley between the old and new towns, and by rendering the preservation of the open space less important, will possibly lead to building on the south side of Princes Street. Could a Judge agitate, I should raise the very stones against this project."

There is a danger of the words of Lord Cockburn coming true, that the company will, bit by bit, get the whole of the Princes Street Gardens into their hands, unless some determined effort is made to stop the encroachments. Section 12 of the Act of 1884 prohibits the use of the East Princes Street ground as a depôt for materials of any kind or for unloaded waggons not in use on the railway; but that section is not observed, and the line is constantly crowded with unloaded carriages and waggons. Bit by bit, as Lord Cockburn predicted, the beauty of the gardens is being destroyed. I believe that there is plenty of room at the present moment for the traffic or for any extension that may be required in the next 20 years, if the whole of the station were used for the accommodation of passengers. I am told that the company are, even at this moment, feuing some of the land to the east, and that shops are being built upon it and let. It would thus seem that they are selling land for their own purposes, and are, nevertheless, seeking to encroach upon the public land. Statistics have been drawn up by the opponents of the Bill, comparing the Waverley Station with the great stations in London, and they show that the Company have 12,000 feet of space for passenger platform accommodation in connection with 455 trains in and out daily; whereas at King's Cross Station there are 3,550 feet for the accommodation of 664 trains; Charing Cross 2,350 feet for 413 trains; Cannon Street 4,475 feet for 468 trains; and at London Bridge 4,100 for 496 trains. This demand for an extension of the station has arisen since the opening of the Forth Bridge; but a shrewd man—Mr. Mortimer—wrote a letter to the *Times* in August, pointing out that the mismanagement of the traffic which occurred last year had some connection with the promotion of the present Bill, because he said the station was perfectly sufficient for all the traffic, were the station management not thoroughly faulty, and he added—

> "It almost looks as if the management had a purpose in view in the disgraceful block which at present prevails."

On the 23rd of August the editor of the *Scotsman*, who as a rule supports the North British Railway Company, wrote as follows:—

> "We shall be faced with the parrot cry, Oh, the two lines cannot and do not carry the traffic between Haymarket and Waverley! It is not too much to say that two lines can easily carry all the trains which are now passing out and in, or, indeed, a larger number, with perfect punctuality. There must be upwards of a hundred places where at least twice the traffic is worked perfectly over two lines. There are only about 83 trains from Haymarket to Waverley between 7 a.m. and 11 p.m. in this the busiest month. Why, then, the great delays? Simply because the lines have to be constantly used for shunting owing to the passenger traffic being squeezed into an absurd narrow strip along the north side, causing the platforms to stick out almost to the tunnel. A train or engine can hardly leave or enter or shunt even in the smallest degree without blocking both lines, so that nothing else can enter or leave or shunt at the same time; and, in addition, there is the utter inadequacy of platforms, both as to the number and size, so that trains have to wait till they are cleared. It is the station that is inadequate, not the two lines."

All that is necessary is for the company to get rid of the mixture of passenger and goods traffic, by which means they will be able to get all they want, without spending £2,000,000 more. I therefore think that the shareholders ought to be very much obliged to those who oppose the Bill. For my part, I wish I could get rid of the North British altogether from Princes Street Gardens, and have back the Nor' Loch, getting the Caledonian and the North British to combine in building a joint station in Lothian Road; by that means the amenity of Edinburgh, instead of being threatened with injury, would be enhanced and improved.

*Mr. WEBB (Waterford, W.) seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question, to add the words "upon this day six months."—(*Dr. Clark.*)

Question proposed, "That the word 'now' stand part of the Question."

Dr. Clark

*(2.25.) Mr. BAIRD (Glasgow, Central): Notwithstanding the arguments used by the hon. Member in moving the rejection of the Bill I wish to point out that Edinburgh, which is the place most interested in the question, possesses four Members, no one of whom I see in his place, and the hon. Member for Caithness (Dr. Clark) in his extremity has had to go to Ireland in order to get a Member to second the Amendment. So far as the merits of the question are concerned I would appeal to hon. Members who have had occasion to travel to Scotland within the last year, as to the congested state of the Waverley Station. For many years that station has been barely sufficient for the traffic, and since the opening of the Forth Bridge, which has brought a large accession of traffic, it has been most inadequate. The Waverley Station may be compared to a bottle with two necks, and it has been found necessary to increase the number of lines passing through the Mound in one direction, and in the direction of Abbey Hill in the other, from two lines to four. This point has been conceded by the Corporation of Edinburgh, and the only remaining question is the appropriation of a portion of East Princes Street Gardens which is absolutely necessary, to provide room for marshalling and shunting trains. Trains from Aberdeen and Dundee have to be broken up, and it is essential that the space available for the service of these trains should be increased. So far as the piece of ground which it is proposed to take is concerned it will be covered over and raised upon a level with the lower portion of Princes Street Gardens, so that persons walking along Princes Street will really see less of the line of railway than they do now. The hon. Member for Caithness says that the Railway Company can get all they want in a much better manner. If the Bill is referred to a Select Committeee he can go before the Committee to explain how that is to be done. With reference to the hon. Member's statistics about the great London termini, he forgets that the Waverley Station is not a terminus at all, but a wayside station, and besides it is a terminus in two directions, and therefore more platform accommodation is necessary than in the case of the London termini. I ask the House to follow the

usual practice, namely, to read the Bill a second time, and send it upstairs.

*(2.33.) Sir J. PEASE (Durham, Barnard Castle): I trust that the House will not take upon itself the duties of a Committee. It is very difficult for the House to form an opinion as to whether the new works proposed by the North British Railway in Edinburgh are required or not. If there is one station more than another in the United Kingdom which requires alteration and addition it is the station in Edinburgh. I think there is but one opinion that it is impossible to work the regular traffic through Edinburgh at present, without additional facilities. There is hardly a train which leaves Sunderland, Newcastle, or Middlesbrough for the North which is not more or less impeded by the state of things at Edinburgh Station; they are all kept waiting because the express trains have not been punctual at Edinburgh. The Directors of the North British Railway say, "This is the best plan we can devise to remedy the evil," and why should we refuse them the opportunity of having their case heard before a Select Committee? A Paper which has been circulated this morning says that there is another and a better plan, but the only tribunal to decide that is a Committee of this House, and not the House itself. The land taken by the railway is to be covered over, and there will be no injury to the gardens, and no detriment to the view from Edinburgh. The hon. Member for Caithness has spoken as if it were a kind of sacrilege to bring a railway near Edinburgh. All I have to say is that Princes Street, Edinburgh, lives out of the railways and the tourists they bring. I trust that the House will consent to read the Bill a second time. It has already passed through the House of Lords.

(2.38.) Mr. ESSLEMONT (Aberdeen, E.): I rise for the purpose of entering a protest against the practice of discussing the merits of a Bill of this kind upon the Second Reading, when it is impossible to enter into the details. If ever there was a case in which a Private Bill ought to go before a Committee it is this, because, not only has it been brought in in the usual way, but in another place its merits have been already discussed. I certainly entertain no extreme reverence for the House of Lords, but as long as it forms part of the Parliamentary Constitution, I think it would be scarcely respectful on our part to say that the objections to this Bill are so great that we will not even submit the measure to a Committee to Report upon.

(2.40.) Mr. MARJORIBANKS (Berwickshire): I hope that the hon. Member for Caithness will not put the House to the trouble of a Division. He must see that the whole feeling of the House is in favour of the Second Reading of the Bill. His main argument why the measure should not be referred to a Committee is, that to give effect to the present proposal will be to destroy the amenities of Edinburgh, and more particularly of the Princes Street Gardens. Now, what are the facts of the case? We have an important traffic which ought to go over four lines being carried over two, and all that is asked is that the rails shall be doubled. The traffic being the same, what difference can it make to Edinburgh whether it is sent over four sets of rails instead of two? The amenities of Princes Street Gardens will not be injured in the least; as a matter of fact the citizens will see less of the traffic than they do now. I hope my hon. Friend will not press the Amendment to a Division, but will allow the Bill, without further discussion, to be referred to a Select Committee.

*(2.43.) Mr. WEBB: Edinburgh occupies a different position from any other city in the United Kingdom. In a literary sense, it belongs to all of us. It contains many features of historic and national interest, and knowing that on one occasion a Private Bill was allowed to pass which inflicted great injury upon the City of Dublin, I oppose this Bill on the ground that it will impair the beauty of Edinburgh by an unnecessary encroachment.

(2.45.) Sir G. CAMPBELL (Kirkcaldy, &c.): No one has more strongly objected than myself to the practice of this House taking upon itself the functions of a Select Committee. At the same time I am glad that attention has been called to this Bill, which, I understand, involves a great principle, namely, whether, when a Railway Company has to take additional land for its own purposes, it should be permitted to take public land, because it can get it cheaper than private land. To the east of this station there is land which is an eyesore to the city. It is occupied by gas works and manufactories of that kind, but it would suit the purposes of the company just as well as the land they propose to take, except for the fact that they would have to pay more dearly for it. Therefore, they propose to take a large slice of this beautiful land in the centre of Edinburgh. If the Bill goes to a Committee I hope that the Committee will scrutinise its provisions very narrowly, and take care not to sacrifice the principle that a Railway Company should be required to take private land in preference to public land.

Question put, and agreed to.

Bill read a second time, and committed.

QUESTIONS.

CHITTAGONG-ASSAM RAILWAY.

MR. MACLEAN (Oldham): I beg to ask the Under Secretary of State for India what steps are being taken to construct the railway from Chittagong along the North-Eastern frontier of India to Assam, which would facilitate the transfer of troops and stores to Manipur; when it is probable that the works of this railway will be commenced; and how long it will take to complete them?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): In the absence of my right hon. Friend, I will answer the question. A concession has been granted to the promoters of a company for making the line in question; but its commencement and time of completion depend upon the ability of the company to raise the capital. Their concession lasts till November next.

SIR G. CAMPBELL (Kirkcaldy, &c.): Has any guarantee been given?

*SIR J. FERGUSSON: I am not sufficiently aware of the facts to be able to answer the question.

THE ARGENTINE REPUBLIC.

ADMIRAL FIELD (Sussex, Eastbourne): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to the report in the *Standard* of 18th April, stated to have been telegraphed from Ottawa, as under:—

> "The sealing schooner *Maud*, just arrived in British Columbia, reports having called at Good Success Bay, near Cape Horn, on voyage from Halifax, and there discovered a number of shipwrecked British sailors, who had been impressed by the Government of the Argentine Republic into service at a life-saving station; they had tried to escape, but were closely watched and were subjected to cruel treatment; they wanted their case reported at Home."

And whether he will cause inquiry to be made into the truth of said report; and, if confirmed, will application be made to the Admiralty for a ship of war to be sent from the South American Station to ascertain the facts and rescue the men?

*SIR J. FERGUSSON: No further information has been received; but the Governor General of Canada, who has been communicated with by telegraph, is endeavouring to obtain particulars. Her Majesty's Minister at Buenos Ayres has been instructed by telegraph to mention the report to the Argentine Government, and request them to make immediate inquiry, and should the report prove true to liberate the men. Arrangements are also being made for one of Her Majesty's vessels to visit the spot at an early date.

REFORMATORY AND INDUSTRIAL SCHOOL SHIPS.

ADMIRAL FIELD: I beg to ask the Secretary of State for the Home Department whether he will cause a Circular to be addressed to the various Petty Sessional Benches, as proposed and promised in the discussion on 23rd March, on reformatory and industrial school ships, requesting Magistrates not to commit any children under 12 years of age to such ships?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): No Circular has as yet been issued. I am considering whether the same object cannot be secured in some more direct way. I will communicate with my hon. and gallant Friend in due course the nature of the steps taken.

GOVERNORSHIP OF EASTERN ROUMELIA.

MR. LEGH (Lancashire, S.W., Newton): I beg to ask the Under Secretary of State for Foreign Affairs if any agreement has been arrived at with reference to the Governorship of Eastern Roumelia?

*SIR J. FERGUSSON: So far as Her Majesty's Government are aware, no Power has raised any question as to Prince Ferdinand's continuance in the Governorship of Eastern Roumelia.

FRANCE AND NEWFOUNDLAND.

MR. STAVELEY HILL (Staffordshire, Kingswinford): I beg to ask the Under Secretary of State for Foreign Affairs whether the Correspondence in the Foreign Office discloses any claims made by the French Government upon the British Government with reference to establishments or settlements upon the Western Coast of Newfoundland between the years 1783 and 1834; and if there should be any such Correspondence, if he will lay the same upon the Table of the House?

*SIR J. FERGUSSON: As a matter of fact, there are not to be found in the Foreign Office Correspondence any claims made by the French Government with regard to establishments or settlements on the western coast between the years 1783 and 1834, but there are records of such claims in the Colonial Office Correspondence made by the French Naval Commandant to the Governor in 1784. There is Foreign Office Correspondence in 1789 as to the exclusive right of fishery, and in 1831. With regard to presenting them to Parliament, it is not thought desirable to make a preliminary and partial publication of Papers which it will probably be necessary shortly to lay before the arbitrators.

CIVIL SERVICE WRITERS.

MR. KELLY (Camberwell, N.) postponed until Thursday a question—To ask the Secretary to the Treasury whether he will take into consideration the desirability of promoting some of those Civil Service writers who were recommended for promotion under the Treasury Minute of December, 1886, and could not be promoted, to a permanent junior class in such an office as the Education Department, where, owing to the great increase of work, the present staff must necessarily be shortly augmented?

STATE OF THE COMMITTEE ROOMS.

VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): I beg to ask the First Commissioner of Works whether it is possible to prevent the objectionable draught, owing to badly-fitting windows, which the Members of the Standing Committee on Trade have to endure in the room where that Committee meets?

MR. H. T. KNATCHBULL-HUGESSEN (Kent, Faversham) also asked a question on the same subject in reference to the accommodation and comfort of the representatives of the Press.

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): The windows of the room mentioned in the question have been seen to, and I hope that no further inconvenience in that way will be felt. My attention has not been called to the matter referred to by the hon. Member for Faversham (Mr. H. Knatchbull-Hugessen), but I will make inquiry.

THE RAILWAY COMMISSION.

MR. KING (Hull, Central) postponed until Thursday a question—To ask the President of the Board of Trade whether his attention has been called to a meeting, on 10th April, 1891, of the Parliamentary Committee of the Railway Companies' Association, at which it was decided to represent to the Board of Trade the importance of selecting for the office of Railway Commissioner, in the place of the late Mr. W. P. Price, a gentleman in whom the Railway Companies would have confidence, and to the further Resolution that a Sub-Committee, to consist of Lord Stalbridge, Viscount Cobham, the Honourable R. H. Dutton, and Lord Colville, with the general managers present at the meeting, should be appointed to select and submit to the President of the Board of Trade for his consideration the names of such gentlemen as they considered qualified for the position; and whether, in making his appointment, he will take care, in the interests of the trading community, that no nominee of the big Railway Companies be appointed?

RURAL POSTMEN.

MR. ATHERLEY-JONES (Durham, N.W.): I beg to ask the Postmaster General is there a rule now operative permitting rural postmen and postmen in country towns to have occasional holidays on condition of providing and paying for an efficient substitute; and, if so, what steps have been taken to let postmasters and others controlling the men know of the rule, and what amount of such holiday is in ordinary cases considered fair and proper?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): There is no rule to the effect suggested by the hon. Member. Country postmen, both town and rural, have a prescribed number of holidays in the course of the year, and no others are recognised. If on any other day a postman is relieved from duty on his providing an efficient substitute, this is an indulgence which he owes to the local postmaster, who is vested with a discretion to grant such relief on good cause shown. I am happy to say that I have during the last year or two made provision for substitutes on alternate Sundays on a great many of the rural walks. This is, however, not an occasional, but a regular service.

CYPRUS.

MR. A. O'CONNOR (Donegal, E.): I had intended to ask the Under Secretary of State for the Colonies whether Her Majesty's Government intend to adopt the measures recommended, after careful experiments, by the Commissioner of Paphos, for the improvement of sericulture in Cyprus; and whether, having regard to the poverty of the peasants, and to the languishing condition of that industry (which in prosperous times afforded remunerative employment for female labour throughout Cyprus), the Secretary of State will recommend that a grant be voted from the Consolidated Fund to be expended under the orders of the High Commissioner of Cyprus for the improvement of the cultivation of silk in that island? At the request of the right hon. Gentleman, I beg to postpone the question until Thursday.

TELEGRAPHIC COMMUNICATION IN SELKIRKSHIRE.

MR. THORBURN (Peebles and Selkirk) postponed until Thursday a question —To ask the Secretary to the Treasury whether the Government have come to any decision in response to the urgent desire expressed by all classes of the community in Selkirkshire for increased telegraphic communication in that county; whether he is aware that there is at present only a few miles within the confines of the county which enjoys telegraphic communication; whether he is aware that in many parts of the county it is necessary, in cases of illness, to send distances ranging from 10 to 20 miles, and in some cases greater distances, for a doctor; and whether, looking to what Government is doing for the Highlands and Islands in Scotland in the way of telegraphic facilities, the Treasury will consider favourably the claims of Selkirkshire to increased telegraphic communication?

ARMY NON-COMMISSIONED OFFICERS AND THE CIVIL SERVICE.

SIR H. HAVELOCK-ALLAN (Durham, S.E.): I beg to ask the First Lord of the Treasury whether he is aware that in several cases lately deserving and meritorious discharged non-commissioned Officers of the Army have been rejected for small posts in the Civil Service (for which they were otherwise thoroughly qualified) for being over 40 years of age; whether he is aware that an old soldier, to have served his full time of 21 years, and to be discharged as a non-commissioned officer of high character, must almost necessarily be more than 40 years old; and whether, with a view to the important bearing of this matter on the recruiting of the Army, he will take into consideration the advisability of making a considerable relaxation of the age clause, say to 45, or even to 48 years, in the case of meritorious non-commissioned officers who have spent their whole life in the service of their country?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I quite sympathise with the object the hon. and gallant Member has in view; and so far as the Departments under the immediate control of the Treasury are concerned, I shall suggest that the rules as to age for minor posts for which Army and Navy pensioners would be suitable candidates should follow the same lines as the rules governing open competition, which are to the effect that candidates may deduct from their age any years passed in Her Majesty's Service. This relaxation will more than meet what is now asked, but I must point out that nominating authorities must not be expected to select pensioners who by their age are partially incapacitated from fulfilling duties sometimes requiring considerable activity both of mind and body. I have, of course, no power to give any pledge as regards other Departments of the State; but those Departments will, doubtless, note what has taken place in the House on the subject.

IRISH NATIONAL SCHOOL TEACHERS.

Mr. A. O'CONNOR: I beg to ask the Chief Secretary for Ireland whether, in connection with the proposed appropriation in aid of education, he will consider the propriety of devoting some of the money available for Ireland, where education is not compulsory, to the improvement of the condition of the national school teachers?

The CHIEF SECRETARY for IRELAND (Mr. A. J. Balfour, Manchester, E.): As the hon. Gentleman knows, the present Government have always been careful to consider the claims of the national school teachers in Ireland. Although the hon. Gentleman will not expect me in an answer to a question to make a statement as to the scheme of the Government, I must say that I cannot believe that any plan for assisting education in Ireland can be otherwise than advantageous to the national school teachers.

Mr. SEXTON (Belfast, W.): Before the Government make up their minds, will the Irish Members be made acquainted with their scheme?

Mr. A. J. BALFOUR: I have always been anxious to give every information in my power.

BRINE PUMPING (COMPENSATION FOR SUBSIDENCE) BILL.—(No. 118.)

Bill reported from the Select Committee with Minutes of Evidence.

Report to lie upon the Table, and to be printed. [No. 206.]

Bill re-committed to a Committee of the whole House for To-morrow, and to be printed. [Bill 296.]

REFORMATORY AND INDUSTRIAL SCHOOL SHIPS.

Address for—

"Return respecting Reformatory and Industrial School Ships from 1886 to 1890, inclusive, in the following form:—

Name of Ship and Captain; also name of Tender, if any; distinguishing Reformatory Ships from Industrial.	Where stationed.	Number of Boys committed to each Ship in each year.		Number of Boys discharged from each Ship in each year, and average time under training.	How disposed of—				Number physically unfitted for sea life of those received on board annually.	Number of Boys which each ship can accommodate for training.	Number of boys borne in each ship on 31st December, 1890.	Number and nature of Staff on board each Ship for purposes of instruction, exclusive of Captain: *status* or rank of second in command, if any; distinguishing seamen instructors from civilian.
		Under 12 years.	Over 12 years.		To sea.	Army.	To shore situations.	Emigrated.				

—(*Admiral Field.*)

GOVERNMENT DEPARTMENTS SECURITIES.

Return ordered—

"Of the amounts of British Government Securities held by the several Government Departments and other Public Offices on the 31st day of March, 1891, specifying whether held in England or Ireland (in continuation of Parliamentary Paper, No. 263, of Session 1890):—

£3½ per Cents.	£2¾ per Cent. Consols (including Certificates).	£2¾ per Cent. (1905).	£2½ per Cents.	Local Loans £3 per Cent. Stock.	Other Securities.		
						Annuities for terms of years.	
					Exchequer Bills, Bonds, Treasury, &c., Bills.	Red Sea and India Telegraph Annuities.	Other Annuities.

—(*Mr. Jackson.*)

ORDERS OF THE DAY.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 3.

(3.5.) MR. SEXTON (Belfast, W.) moved the omission of the 1st sub-section, which names grants—

> "For rates and contributions in lieu of rates on Government property in Ireland"

as part of the contingent portion of the fund. The hon. Member said: I ask upon what principle this and other grants have been selected to bear the brunt of the guarantee? They are called "local grants," but it would have been more correct to call them Imperial grants in aid of local expenses, seeing that they apply in a large porportion to Admiralty buildings, barracks, and so forth. There is a considerable area of choice, and the Government ought not in the first instance to take the money which they owe to the rating authorities. The Government have seized the money designed to prevent the spread of disease among human beings, but they have left free that which is given to prevent the spread of disease among cattle. The Bill takes all the money for National Schools in Ireland, but this money is not a "local grant" in Ireland. In Ireland primary education is not a subject of local taxation; it has never been a charge upon local funds; therefore the grant for education is not a grant in aid, and on that account it ought to be struck out. The best thing to do is to strike out all these "grants," and to substitute the charge for the Irish Constabulary, or perhaps one-half or two thirds of it, which would be enough.

Amendment proposed, to leave out lines 13 and 14.—(*Mr. Sexton*).

Question proposed, "That the words proposed to be left out stand part of the clause."

(3.10.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I have listened to the remarks of the hon. Member with surprise and disappointment, because on Friday the hon. Member made a lengthened statement as to Amendments which he desired to introduce respecting these guarantees. After discussion, it was stated that the Government would make certain concessions, with which the hon. Member expressed himself satisfied. It was, therefore, anticipated that, so far as the hon. Member and his friends are concerned, this clause might pass almost *sub silentio.* Now, however, the hon. Member has made distinctly different proposals, and he asks the Government to remodel the Bill in respect of these Guarantee Funds. If attempts to meet the views of hon. Members are to be responded to in this way, there is little inducement for the Government to endeavour to get through the Bill in harmony with hon. Members opposite below the Gangway. The most important suggestion made on Friday was that the grant for pauper lunatics should be struck out, and that has been conceded; but now the hon. Member proposes to strike out the grants for education and Industrial Schools, and to substitute the grant in aid of the Constabulary. That may be a good proposal or a bad one, but it is entirely different from that made on Friday. In selecting these grants I purposely and deliberately omitted everything connected with law and justice. It appears to me that these are necessarily and essentially part of the work of the Central Government, but the objects selected have never been so considered either in this country or in Ireland. The Central Government have come to the aid of the locality, and sometimes largely, but it has always been considered a matter for the localities themselves in the first instance to deal with such questions as education, pauper lunatics, and poor relief. The hon. Member says that the whole cost of national education is borne by the State, and it has never been regarded as a local charge.

MR. SEXTON: I said that it is not a subject of local taxation.

MR. A. J. BALFOUR: I admit that it is not, but I do not admit that it is primarily and essentially the duty of the Central Government, as distinct from the locality, nor has it ever been so regarded in Ireland. The authorities who set the system in operation are the School Managers, and the Central Government comes in to relieve them from the burden of the cost. I cannot hold out the slightest hope or expectation that the Government will depart from the line they have taken in the Bill, and the idea of substituting the grants for the Magistrates and the Constabulary for those named in the clause is one that I cannot entertain.

MR. SEXTON: The expenditure of the National Education Board is strictly Imperial expenditure, because the system of education maintained in Ireland is one the people do not accept. The right hon. Gentleman's argument does not show that the adoption of my suggestion with regard to the Constabulary grant would cause either interruption or danger to the Public Service.

(3.20.) MR. T. M. HEALY (Longford, N.): I wish to point out that by the 2nd Schedule, Dublin, Cork, Belfast, Limerick, and Londonderry are excluded from the operation of the Bill, but it is to those very cities that the largest proportion of the Government grant is given in relief of rates. The Government contribution, as it at present exists, is a swindle on the ratepayers. If Dublin Castle and such places paid rates, as they ought to, the ratepayers would get 20s. where now they only get 14s. Now the Government propose a second swindle on the ratepayers by depriving them of the grant, which is itself insufficient.'

(3.25.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I must remind the hon. Gentleman that Clause 8, Sub-clause 3, provides that—

> "Nothing in this Act shall apply to a county of a city mentioned in the 2nd Schedule to this Act, except that it shall be entitled to the same share in the Exchequer contribution and the Irish Probate Duty grant as if the Act applied."

That very comprehensive expression excludes the operation of the clause to which the hon. and learned Gentleman refers.

(3.27.) MR. T. M. HEALY: There are two points. First, assuming the Government to be right in the interpretation they put on Clause 8, Sub-clause 3, it is not fair that, having made a composition with the ratepayers which is a "bankruptcy" composition, they should further hypothecate that composition, such as it is. The first was an act of scoundrelism, and the second is an act of meanness. Take the case of Kilkenny, where there are barracks for Cavalry and Infantry. Those barracks ought to contribute 20s. in the £1 to the local rates, but you have only paid 15s. in the £1. Having done that, you now turn round and take away your own bankruptcy contribution. The proposal to capture the contribution in aid of rates is neither honesty nor good government. The second point is that if the towns named in the Schedule ought to be excluded from the operation of the Bill on the ground that they do not share in the benefits under it, many other large towns in Ireland ought also to be excluded. The Corporation of Dublin will be hit under the Bill as it stands, and there is no remedy in a Court of Law. I submit that there is a strong case on behalf of the Irish taxpayer for the omission of this sub-section.

Mr. SEXTON: Nothing would be easier than to insert words to say that the share of these cities in the local grant shall be preserved.

(3.30.) Mr. A. J. BALFOUR: With regard to the last suggestion, my right hon. and learned Friend the Attorney General for Ireland will see whether it will be expedient to insert words to this effect later on in the Bill; but we are certainly of opinion that the Bill as it stands meets the case. I would point out that when the Government gave up the right of not paying rates on their property it was considered as an immense boon, and was given and accepted as such. Then comes the question whether such rates should be taken or not for the purposes of this Bill. It is said that the sum is small; but it amounts to £30,000, which capitalised means something like £800,000 or £1,000,000, and I cannot consent to withdraw such a large capital sum as £800,000 from the Bill. It has been stated that these cities have no interest in land purchase. The Government had to draw the line somewhere, and they have drawn it at the five big cities, whose interest in land purchase is relatively remote. But on the other hand, to say that any ordinary county town throughout Ireland is not dependent upon the condition of the agrarian question is to ignore the whole conditions of Irish life. The one industry of Ireland, outside the five great cities, is agriculture; the smaller towns will share in the benefits arising from any great reform in the agricultural question, and therefore, in the opinion of the Government, they ought to pay some share of a possible burden. I hope the hon. and learned Member will not press his Amendment.

Mr. T. M. Healy

(3.40.) Mr. T. M. HEALY: May I ask why the Chief Secretary should not pay rates for his lodge in Dublin, just the same as I pay rates for my residence in the same city? The right hon. Gentleman contracts himself out of the obligation by an Act of Parliament.

The CHAIRMAN: The hon. and learned Gentleman is altogether wrong as to the facts. He is also speaking irrelevantly.

Mr. T. M. HEALY: I did not know, Mr. Chairman, that you would supply us with debateable matter; but I accept your ruling. The Government are now proposing to take advantage of their own wrong. Having already made a mean contribution to local rates, which they describe as a boon, they now propose to capture it. I am not aware that any barracks or police station in England is exempt from local rates. To first of all relieve yourselves by Act of Parliament from the ordinary burdens of other people, and then to describe your conduct in only paying one-half or three-fourths of the rates as a boon, and finally to turn round and capture the whole, is really pushing things to an extreme. It is most unfair, and I know of no instance in which the unfairness is more exemplified than in this sub-section. Of all the proposed inclusions in the Bill it is the one which we may most fairly ask the Government to abandon. It is most unfair that persons living in towns, who can get no benefit from land purchase, should have to contribute towards the default of others; and great soreness will be caused in Ireland.

(3.45.) Mr. SEXTON: I shall test the question of the propriety of this sub-section by taking a Division.

The Committee divided:—Ayes 163; Noes 106.—(Div. List No. 155.)

Amendment proposed, in page 3, line 16, to leave out Sub-section (ii.)—(*The Attorney General for Ireland.*)

Question proposed, "That Sub-section (ii.) stand part of the Clause."

Mr. A. O'CONNOR (Donegal, E.): It is exceedingly difficult for any private

Member to ascertain how the Bill will work in regard to any particular county. As the Bill is to be worked by counties I presume that the Government, before drafting it, marked out how it would affect the different counties. I think it is necessary that we should have that information, and I would therefore ask the Chief Secretary if he will lay on the Table a Return showing how any particular county is affected; taking for instance an almost purely agricultural county, such as Queen's County, or King's County, showing the estimated advance, and the mode in which the Government anticipate that the payments will work out, so that we may judge what is the particular amount of risk involved to any of the funds it is proposed to hypothecate? Without that information we are altogether in the dark.

(3.59.) Mr. T. M. HEALY: What will the effect be in regard to Dundrum Lunatic Asylum? It is put outside the City of Dublin, and you have declared that the City of Dublin is not to be included in the Bill. There is to be a kind of in and out running in regard to these local contributions. I have to ask the Government have they considered this question of the Dundrum Asylum, and the lunatic asylums outside nearly all the other leading cities of Ireland?

Mr. MADDEN: The sub-section leaves the point perfectly clear.

Mr. A. O'CONNOR: The right hon. Gentleman has not answered the question I put to him.

Mr. A. J. BALFOUR: The Return which we last produced, and which lies upon the Table, gives a general outline of our scheme.

Mr. A. O'CONNOR: This is only a link in the chain. My position is this, that it is perfectly impossible for a private Member, however carefully and patiently he may go through the statements, to realise how the scheme is likely to operate with regard to any particular amount. The Government is aware how much money is expended under different Services, which are classed under the total "local grants." What I suggest to the right hon. Gentleman is that he should select any county which would suit him, and he could then show the amount available for land purchase, the rate of repayment within the county, the amount available for securities, marshalled in different classes of securities, in order of priority, so that we may be able properly to see what is the amount of risk attaching to each class of security.

(4.10.) Mr. A. J. BALFOUR: I do not see how any information is to be given other than that already in the possession of the House. There is the Return dated the 17th April last year. That shows in every county in Ireland the amount of Exchequer contributions, the Imperial grants for local purposes, the amount available for land purchase, and so forth. I find the total amount of the cash portion of the Guarantee Fund last year was £248,950. The contingent portion of the Guarantee Fund was £584,509, and the capitalised total amount available for the County of Donegal at that time was £833,459. That is the information which the hon. Gentleman has already before him. He asks us to give further information. I have no means of knowing what the course will be in each county, and unless one makes an arbitrary hypothesis of the essential factors, it is impossible to lay on the Table of the House a Return showing the operation of the Act.

Mr. A. O'CONNOR: What I propose is that the right hon. Gentleman should take a county in a congested district—not like the County of Dublin, but an agricultural county like Kilkenny, Kildare, Queen's County, or Tyrone, and show us not only the amount which is to be available for land purchase, but the repayment and so forth. I believe the right hon. Gentleman could not have projected a scheme like this without having made calculations with regard to some specimen county. If the Government have not made such calculations, then they are taking a leap in the dark.

Mr. A. J. BALFOUR: Take King's County. The amount available for land purchase there is £424,175 capital value. The hon. Gentleman asks how much will be taken for land purchase, and what are all the varied circumstances upon which an investigation could be made. I can assure him if I could forsee the future I would lay the Return on the Table, but with the limited means at my disposal, I do not see how I am to make the Return.

(4.20.) Mr. SEXTON: I move to insert, in Sub-section 5, the words "model schools." The model schools are quite as local as national schools, the only difference being that the former are much more costly and a great deal less useful.

Amendment proposed, in page 3, line 28, after the word "headed," to insert the words "model schools and."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

Mr. MACARTNEY (Antrim, N.) I hope my right hon. Friend will not agree to the Amendment, which would throw a peculiar burden on Ulster, where there are a number of model schools. I find that out of the 25 model schools in Ireland, 14 are situated in Ulster. It is perfectly evident that the religious denominations outside the Roman Catholics attending the model schools, would have to bear more than two-thirds of their share of the burden.

Mr. KNOX (Cavan, W.): I hope the argument of the hon. Member for North Antrim will not cloud the eyes of the Committee. This Amendment does no injustice to Ulster, our only object being to get for Ulster a larger amount for land purchase. I think the amount available under the Bill for Ulster is not as large as we would like to see it.

Mr. T. W. RUSSELL (Tyrone, S.): The hon. Member is not pledging the payment to teachers of model schools, he is pledging those salaries for the purposes of land purchase, and I should be very glad to see an increase of the amount available in Ulster, where there will be no default.

Mr. FLYNN (Cork, N.): I object to the argument being confined to Ulster, and these invidious distinctions should be dropped by Members on both sides of the House. The hon. Member has said there will be no default in Ulster. I presume there will be no default in other parts of Ireland, unless the rate of purchase is too high.

(4.24.) Mr. A. J. BALFOUR: The Amendment can only possibly affect those counties in which there are model schools, and therefore the part of Ireland which would be most affected would be Ulster. It is perfectly true that the model schools are specially used by the Presbyterians in the North of Ireland; but if these schools did not exist education for the children would have to be found in other schools. Further than that, I believe that in the accounts of the National Board of Education modern schools are included under the head "national schools."

Mr. SEXTON: I think if the right hon. Gentleman will refer to the Estimates he will find model and national schools under separate heads.

Mr. A. J. BALFOUR: I was referring to the accounts of the National Board of Education. Although by a slip in the draft Bill model schools are not included in this sub-section, I believe they must be treated as if they were included. On the whole, I do not think it would be fair to the North of Ireland to exclude from the contingent portion of the Guarantee Fund so important a part as that which was devoted to the support of the model schools. Putting it at the most modest estimate, the grant for these schools is about £20,000 a year.

Mr. SEXTON: £30,000.

Mr. A. J. BALFOUR: That figure includes other schools. The actual sum for district model schools is £19,239, and no doubt there are one or two other items to be added. That will free exactly £500,000; and it would be very hard on the province of Ulster that it should not be allowed the advantage of this £500,000 of grant.

(4.27.) Mr. T. M. HEALY: I think this argument shows the necessity for some power of appeal from the decisions of the Lord Lieutenant, say, to the Privy Council.

Question put, and negatived.

Amendment proposed, in page 3, line 24, after "1878" to insert—"(v.) in aid of the cost of maintenance of pauper lunatics in district asylums in Ireland."—(*The Attorney General for Ireland.*)

Agreed to.

*(4.31.) Mr. S. KEAY (Elgin and Nairn): The object of the next Amendment which stands in my name is to prevent either the present or any future Government from enlarging the total amount of capital to be advanced under this Bill beyond the sum which is at

the present moment named by the Government, and more or less contemplated by Parliament and the country. I have also another object equally in view, and one which should enlist the sympathies of Irish Members, and that is that the Amendment will have the effect of permitting future increases in the amount of the Imperial grants to Ireland, provided that the needs of the country—owing, perhaps, to famine—should demand them, without what I think would be a perfect atrocity, *i.e.* increasing the advances to landlords by 25 fold the additions to the grants. It will be observed that there is no fixed maximum named in this Bill. The Chief Secretary talks of it as a £30,000,000 Bill, but it is only by a detailed examination of each clause, and by a constructive method, that one arrives at the conclusion not that it is a £30,000,000 Bill, but that the capitalised amount of the Imperial grants to Ireland last year represents £30,000,000. That seems to me a most unsatisfactory way of framing a Bill of this nature. Some months ago I ventured to put a question on this subject to the Chancellor of the Exchequer. I asked him if it were the case that if the Imperial grants were doubled, and amounted to £2,400,000 instead of £1,200,000, it would be the case automatically that the original sum thereby made available for advances to landlords under the Bill would be £60,000,000 instead of £30,000,000. The right hon. Gentleman's very frank reply was that as the Bill stood no doubt the maximum amount might be increased in proportion as the Imperial contributions increased. But he added that he did not think the suggestion that the Government would double the amount of Imperial grants to Ireland came within the range of practical politics. Now, that is not surely the manner in which such an important matter should be dealt with by the Government. By this Bill the amount made available for advances is left absolutely unsettled; and this is, in fact, an insidious method of obtaining larger advances in the future than the present House of Commons would be willing to allow. The explanation is that the Government believe that the grants to Ireland will be increased and the country will perhaps find 10 years hence that much more than £30,000,000 has gone out of the Treasury to Irish landlords. This is a very real danger. In the House of Lords there are 121 Members who own in the aggregate an acreage of land in Ireland which produces a rent-roll of £2,250,000. Hence it will not be long before the £30,000,000 contemplated in this Bill is exhausted, and then pressure will be brought to bear on the Government for further advances by those who have not benefited by the first advance. The noble Lord the Member for West Down so far has not sold the estates under his control, with a rent roll of £100,000 a year; I believe that the family of the Marquess of Downshire will require at least £3,000,000 of the £30,000,000. The only way to checkmate the tortuous policy of this Bill in placing no limit on the amount of the advances is to adopt my Amendment. What, I repeat, will be the result if this clause passes as it stands? There will be two classes of persons who will put pressure on the Government to increase the Imperial contributions to Ireland from time to time, and neither class will have the faintest interest in the aims and objects of the other. You will have the friends of Ireland in times of famine and distress praying the Imperial Government to enlarge the limit of its contributions to local finance, and you will have a body of Irish landlords, the hungrier Members of the other House, who could not get any of the first £30,000,000 urging the Government to increase the contributions solely in order that more money may be available for advances under the Bill. Some time since I asked the Chancellor of the Exchequer if he could quote any precedent under which Parliament had ever authorised the borrowing of money on the elastic principles embodied in this Bill without naming a definite sum. The right hon. Gentleman replied that he had had no time to examine the point raised, so a few days later I repeated the question, and he replied that on several occasions Parliament had authorised the State to make loans without naming the amount. I consider that that reply was one of the most ridiculous character.

Mr. SYDNEY GEDGE (Stockport): No.

*MR. KEAY: I contend it was not a straightforward answer. I asked if there was any precedent for Parliament allowing the Treasury to borrow money without fixing the amount, and the Chancellor of the Exchequer replied that there was a precedent for Parliament lending, without naming the amount, monies which had been already borrowed The Chancellor of the Exchequer declared, on the 3rd February, that it would be open to any future Parliament to limit the advances if the contributions from the Treasury are increased. But why is not that limiting put in the present Bill now by this Parliament sitting in this Committee? If in a future Parliament an attempt is made to impose a limit, hungry Members in the other House will negative it, and no limit will be imposed. I ask the Government for an explicit statement of the reasons for the adoption of this ingenious and tortuous system of satisfying the greed of Irish landlords.

Amendment proposed,

In page 3, line 22, after "schools," to insert, "Provided that the whole amount paid to the Guarantee Fund from the Imperial and Local grants mentioned in this section shall not exceed one million two hundred thousand pounds in each financial year."—(*Mr. Keay.*)

(4.50.) MR. A. J. BALFOUR: I think that the hon. Member who has just sat down would be a more useful Member of the Committee if he would avoid going back upon his past speeches, the past questions he has put to the Government, and the past replies that have been made to him. The hon. Member has got into his brain that this is "an ingenious, tortuous Bill introduced for the purpose of satisfying the greed of Irish landlords." I can assure the hon. Member that it is nothing of the kind, and that its main object is to benefit the small tenants in Ireland. I have not been fortunate in my past attempts to convert the hon. Member, nor can I hope to be successful now, but he may rely upon it that whatever the demerits of the Bill, it is not open to the particular kind of objection which he is so fond of raising. The hon. Member suggests that I have deliberately concealed from the House the real character of the Guarantee Fund. I have in no way concealed the character of the Guarantee Fund. We never intended to limit the amount available for advances; instead of desiring that the sum available for carrying out the objects of the Bill should be limited, I should be glad to see it increased. The difference between the hon. Member and myself is this—that the hon. Member desires to limit the operation of the Bill and I do not desire so to limit it.

(4.54.) MR. SEXTON: I only wish to say that I am quite unable to accept the argument of the hon. Member for Elgin. I agree with the Chief Secretary that the amount devoted under this Bill to land purchase will prove extremely inadequate. We are all desirous that it should be increased.

Amendment negatived.

(4.55.) Amendment proposed,

In page 3, after line 99, to insert "and the several sums constituting the cash portion and the contingent portion respectively of the Guarantee Fund shall be applicable to the purpose of that fund in the order specified in this section."—(*Mr. Sexton.*)

(4.56.) MR. A. J. BALFOUR: I am aware that the hon. Gentleman opposite thinks that the Government have assented to this Amendment, and if anything I said has given rise to that impression, far be it for me to withdraw in any way from that position. But I would suggest that it is inexpedient to adopt it, because it will be better that the loss, if any, should be distributed. It might, I think, be distributed over the various funds without real injury to the undertaking to which the Government grants are devoted. I will not, however, labour the point. I hope the hon. Member will see on reflection the inexpediency of his proposal.

(4.57.) MR. SEXTON: I take it the right hon. Gentleman is of opinion that the point is not important as respects the cash portion of the fund.

MR. A. J. BALFOUR: That is so.

MR. SEXTON: And that it only becomes conceivably important with regard to the contingent portion. If he looks at the sub-section as it now stands he will see it is pretty obvious that one sub-head may as well be exhausted before proceeding to the next. Furthermore, let me point out that the Government will possess an important discretion as to the order in which the items in each sub-head shall be dealt with.

(4.59.) COLONEL NOLAN (Galway, N.): I do not see why the Chief Secretary should not adopt this Amendment. It cannot make the slightest difference as to the order in which the Contingent Fund items are exhausted. If the Government contributions for any purpose are seized, the locality will have to make up the money somehow.

Amendment agreed to.

*(5.0.) MR. KNOX: My three Amendments are designed to make clear the meaning of the clause. My hon. Friend the Member for West Belfast and the Government differ in their interpretation of it, and I think these words will make plain the intentions of the Government.

Amendment proposed, in page 3, line 31, to leave out "in any financial year."—*(Mr. Knox.)*

(5.1.) MR. MADDEN: My right hon. Friend the Chief Secretary has promised to bring up words on Report so as to make it clear there shall be no unnecessary delay in the allocation of the funds. I hope the Amendment will not be pressed.

*(5.2.) MR. KNOX: If I remember aright a similar difficulty arose on the English Local Government Bill, and gave rise to considerable dispute in the Courts of Law. I think it would be more convenient now to insert the necessary words; but, in view of the promise to do so on Report, I will not press the Amendment.

Amendment, by leave, withdrawn.

(5.3.) Amendment proposed, in page 3, line 32, after "shall," insert "subject to the provisions of this Act with regard to the county per-centage."—*(Mr. A. J. Balfour.)*

(5.4) MR. SEXTON: What is the meaning of this?

MR. MADDEN: It is simply an Amendment necessitated by alterations made in Clause 2.

Amendment agreed to.

(5.5.) MR. SEXTON: In the absence of my hon. Friend (Mr. M. Healy), I beg to move the Amendment which stands next in his name. His object is to secure that the five cities referred to in Section 8, Sub-section 3, shall not be deprived of their share in the Exchequer contribution and the Probate Duty grant by the operation of the Bill. I see that the Attorney General for Ireland has an Amendment lower down on similar lines. Perhaps he has the same object as my hon. Friend?

Amendment proposed, in page 3, line 33, after "shall," to insert "(subject to the provisions of Section 8, Sub-section 3)."—*(Mr. Sexton.)*

MR. MADDEN: My Amendment is not with the same intention.

(5.6.) MR. A. J. BALFOUR: Of course, the position in the Bill by which the share of the counties and cities in the Exchequer contribution and Probate Duty grant is placed as it is, was adopted deliberately by the Government; but I do not say that the matter is of great importance one way or the other. But, on the whole, it appeared to us that this very small and almost insignificant aid we ask from the great towns is a sacrifice they might well be called upon to make. It is only until £200,000 have been carried to the Reserve Fund that any call is made upon the cities, and as soon as that amount is accumulated they will get their full share again of the grants; nor will any call diminish that unless some great Irish calamity should diminish that fund, causing it be drawn upon, and then the amount will have to be built up again to £200,000, and the five cities would be asked to make their contribution. But I do not think that in the face of such a calamity the cities would object to this. On the whole, I am disposed to leave this part of the frame-work of the Bill untouched.

(5.8.) MR. SEXTON: I understand that if the Amendment of my hon. Friend were adopted the five cities would be entitled to have paid over to them their part of the Exchequer contributions and their proportion of the Probate Duty. It appears they would suffer nothing by having the clause carried as it stands, but the whole of the £40,000 put into the Reserve Fund. That sheds a little light upon the argument we had lately. We were rather in doubt whether the cities would suffer in respect to the local grants. Now it appears that the cities would not be affected, and that by reason of the language of the Sub-section

A they are deprived of part of the Exchequer contributions to which in the ordinary course they would be entitled, and when the Exchequer grant comes to be divisible it will be divided as the Probate Duty grant, except in a remote contingency, and in that event they will be entitled to a share in the £40,000. The contention of my hon. Friend is that they are entitled to it from the first. But I am not disposed to press the point. I think the cities might well assent to this.

Amendment, by leave, withdrawn.

Other Amendments made.

Amendment proposed,

In page 3, line 37, after the word "and," to insert the words "the residue shall be divided between the counties as nearly as may be in the proportion of the shares of the counties in the Irish Probate Duty Grant, and such residue shall be applied towards the cost of providing labourers' cottages in the several counties under the Labourers (Ireland) Acts, 1883 and 1886, on such terms and conditions and subject to such regulations as the Lord Lieutenant thinks expedient, save that where it appears to him, on the representation of the Local Government Board, that the whole or any part of such residue applicable to any county cannot with advantage be so applied, he may order the same to be applied as if it were a share of the county in the Irish Probate Duty Grant. Provided that the entire amount applied towards the cost of providing labourers' cottages under the present and the last preceding section in any year shall not exceed as regards any county the share of the county (calculated according to the above proportion) in the sum of forty thousand pounds, and any surplus over and above that share shall be applied as if it were part of the Irish Probate Duty Grant; and."—(*The Attorney General for Ireland.*)

Question proposed, "That those words be there inserted."

(5.12.) MR. T. W. RUSSELL: It is quite impossible for anyone to understand this. Is this carrying out the arrangement made the other night as to the application of money for labourers' cottages?

MR. MADDEN: Yes.

MR. MAHONY (Meath, N.): The sum of money dealt with here, and under Clause 2, has now reached a very large amount. If the Attorney General for Ireland accepts the further Amendment in my name, it will reach the sum total when the £30,000,000 are expended of no less than £119,000 every year. Now, it will not be contended that in many towns in Ireland the dwellings of the working people do not require very considerable improvement, and every single town in Ireland, except the five exempted cities, will have to contribute towards the guarantee under this Bill; and as the Bill stands at present no single town can possibly derive any direct benefit from the Bill. The Government have conceded no inconsiderable benefit to agricultural labourers in agricultural districts under the Bill, and quite legitimately so, because they contribute towards the guarantee. Now, I ask the Government to extend that benefit towards working-class dwellings in towns, and to give them an advantage under the Bill, seeing that they, in common with other ratepayers in Ireland, will have to contribute directly in case of default. I do not think I need say more in support of my Amendment, which I hope will be accepted.

Amendment proposed to the said proposed Amendment, in line 4, after the words "cost of," to insert the words "improving or erecting artisans' dwellings or."—(*Mr. Mahony.*)

Question proposed, "That those words be inserted in the proposed Amendment."

(5.15.) MR. SEXTON: Under the 2nd section the Government have agreed that in cases where the Lord Lieutenant thinks a portion of the county percentage may be usefully so employed, it shall be applied to providing cottages under the Labourers (Ireland) Acts, and under Clause 3 they have now agreed that a portion of the Exchequer contribution shall also be so applied, after discharging the functions of guarantee, at the discretion of the Lord Lieutenant. The entire amount will be £115,000, I think. Now, the Attorney General for Ireland proposes to introduce a limit of £40,000, but I am disposed to press him not to insist upon this. There is no doubt whatever that in many of our towns there is a great deal to be done on grounds of decency and health for the improvement of dwellings occupied by artisans, and, indeed, I may say by agricultural labourers, who, by reason of the cruel policy of former years, have been driven to reside in the slums of our towns, though they really belong to the rural population. Now, seeing that the discretion of the Lord Lieutenant is made supreme in the 2nd clause, it would be an ill compliment to the Lord Lieutenant to impose this restriction here. Does the right hon. Gentleman mean to say that the Lord Lieutenant would spend more money in Ireland in the year than is necessary? I would suggest that the amount applicable from this source should stand as in Clause 2, and let the Lord Lieutenant determine how much should be applied. Let the Attorney General look at this in a broad and statesmanlike spirit, and tell us, that, as many of the agricultural population have to find their homes in towns, he is willing to apply the full sum available under the 2nd clause, subject to the discretion of the Lord Lieutenant always as to how far it may be usefully employed towards the housing of agricultural and artisan labourers in towns, and I think that will give general satisfaction in Ireland.

(5.18.) MR. PARNELL (Cork): I trust that the right hon. Gentleman will see his way to grant this concession suggested by the Amendment. It may be truly said that there are, perhaps, no people in the world, certainly there are none in Ireland, whose dwellings stand more in need of improvement than those of the artisans and labourers in Irish towns. It is also true that there is perhaps better opportunity of improving the condition of the labouring population in small urban communities in Ireland, than that which exists in respect to any other class in that country. There are sites in these towns and ruined habitations which could be purchased cheaply and made tenantable for the wants of the class the Amendment seeks to benefit. It may be said, and it is capable of proof, that a little expenditure of money would go further in the direction of ameliorating the condition of people in towns than the same amount of money spent under any other circumstances for our country districts. The argument also that a great many of our agricultural labourers live in towns is a very forcible one. As the Bill stands, these are precluded from the benefits of legislation for agricultural labourers by the twofold fact of their living in towns and not being constantly employed in agricultural labour. It is impossible that they can obtain the advantages that labourers in rural districts can receive, they cannot have little plots of land which they can cultivate. These arguments have force in favour of the Amendment of my hon. Friend, and I trust that the Government will agree to put these classes of men in country districts and in towns, to this extent, in the same position.

(5.24.) MR. FITZGERALD (Longford, S.): I cannot see any tenable ground on which this Amendment of the hon. Member for Meath can be refused. The demand is a moderate one on behalf of the artisans as they are called, though they are really labourers dwelling in towns. This Bill provides that the ratepayers in the towns shall contribute towards the Guarantee Fund, and they share the risk of having to make good any default that may arise among the agricultural tenants who may purchase, and surely they cannot fairly be denied the benefit that may accrue to men in a like position in the rural districts. I noticed during the course of the discussions on the clause relating to labourers in Ireland, that a good deal of trouble was taken to qualify labourers, and I think we may call those whom the Amendment of the Attorney General is intended to deal with, "labourers proper"; and, indeed, the other night hon. Gentlemen from Ireland determined to push home this qualification by voting against the Amendment of my hon. and gallant Friend (Colonel Nolan), which was intended to extend the benefit of the clause to all under a £15 valuation. They went so far as to drag their friends below the Gangway into the Lobby to vote against the principle of a graduated Income Tax. It is a qualification I do not recognise, and everybody who knows anything about Ireland in this connection, knows that the position of this class with which the Amendment deals is that of labourers. These are simply agricultural labourers who have been pushed into towns by lack of work, and they are what are called handy men; they having taught themselves simple trades with which they eke out a livelihood when agricultural work fails. Everyone familiar with Irish towns knows that the houses in which this class of labourers dwell are a disgrace to local administration, and, indeed, to humanity; and the Government will but do an act of justice in accepting the Amendment which should specially commend itself at this time when we are approaching the end of the septennial period, when these artisans and labourers become the prey of political partisans. As the hon. Member for Cork has said, a much-needed reform in this direction can be carried out with little expenditure.

*(5.28.) MR. KNOX: I support the Amendment, but, at the same time, I would suggest that the words will not carry the intention of the Amendment into practical effect. It is obvious that the authorities who would have to carry out a provision of this kind would have to act under some Statutory provision in providing labourers and artisans' dwellings. It would be impossible for Local Authorities to adequately provide such dwellings unless they were endowed with compulsory powers to acquire proper sites and to provide for the erection of suitable dwellings. A most useful purpose to which such an Amendment could be applied would be the removal of insanitary dwellings and erecting others on the site. Now, a most useful Act was passed last year, after mature consideration, by the Law Committee, the "Housing of the Working Classes Act," and I think practical effect would be given to this Amendment if it were adapted to the working of that Act. Therefore, I would suggest to the hon. Member for Meath that he should consent to the amendment of his Amendment in this manner. It is not, I think, a matter that need lead to much controversy; the Act I mention is a codification of existing Acts in relation to the subject of providing dwellings for the working classes.

Amendment proposed to the proposed Amendment to the proposed Amendment, to insert, after the word "dwellings," the words "under 'The Housing of the Working Classes Act, 1890.'"—(*Mr. Knox.*)

Question proposed, "That those words be inserted in the proposed Amendment to the proposed Amendment."

(5.33.) MR. BLANE (Armagh, S.): With respect to the Amendment of the hon. Member for Meath, I would point out that in most of the towns in Ireland the lighting watching, cleansing, and sanitary work is carried out under the Statute 9 Geo. IV. cap. 87. Therefore scarcely a single artisan would have a vote for Commissioners in these towns, as they live in houses rated at less than £5, and therefore they would not have the slightest voice in the enforcement of the Act of 1890. I think, therefore, that the proposed Amendment of the hon. Member for Meath would have no practical effect.

(5.35.) COLONEL NOLAN: I hope the Government will accept the Amendment of the hon. Member for Meath. I like the use of the word "improving" in the Amendment, for that will allow of much to be done at a small expenditure of money. As to the last Amendment proposed, I think it would be rather rash to limit the application to a single Act. I do not know whether the Act applies to the ordinary sanitary authorities, the Boards of Guardians, and I think it would be better to postpone the Amendment to the Amendment, so that we may consider the matter a little more, and it may be revised on the Report stage.

*(5.37.) MR. KNOX: I wish to give the Amendment of the hon. Member for Meath operative effect. If that Amendment is carried in its present form there will be a certain amount of money devoted to erecting and improving artisans' dwellings in towns; but no man could tell who is to provide these dwellings, or how the money is to be applied. As to the suggestion of the hon. and gallant Gentleman, I may say it would be better to insert my Amendment now, and if on further consideration it should appear that further Amendment is necessary, let that be taken in hand on Report. As to the objection of relying upon a single Act, I may mention again that the Act of 1890 is a codification of all previous Acts dealing with artisans' dwellings, and authorities under it exist in every part of Ireland urban and rural. Although I agree that the franchise in Irish towns is not on that popular basis we desire, yet I am bound to say it is preferable to the Boards of Guardians, which contains so many *ex officios.* I certainly think the Amendment is necessary to give practical effect to the Amendment of the hon. Member for Meath.

Question put, and agreed to.

Question proposed,

"That the words 'improving or erecting artisans' dwellings under "The Housing of the Working Classes Act, 1890," or' be inserted after the words 'cost of,' in line 4 of the proposed Amendment."

MR. SEXTON: The Amendment of the hon. Member would leave it open to the Lord Lieutenant to spend the money either in erecting or improving artisans' dwellings or in erecting labourers' cottages.

(5.42.) MR. MAHONY: The Amendment is an important one, and would involve, on the Report stage, the introduction of a similar Amendment of Clause 2, so that the whole of this sum might be made available for the purpose of providing dwellings.

MR. A. J. BALFOUR: No doubt, the hon. Member for Meath has been well advised in accepting the Amendment to his Amendment, so as to get it in a workable form. We are all agreed, in whatever part of the House we sit, in desiring to see the artisans' dwellings in the towns of Ireland improved; they need improvement beyond question. The hon. Member for Cork appears to be of opinion that under the Labourers' Dwellings Act, 1886, it would be impossible to provide houses except for agricultural labourers who are in constant agricultural work, or who at least do such work for the greater part of their time. I think the hon. Gentleman must have had in view some of the earlier editions of this Act. There were three Bills, and in each case I think the definition of "agricultural labourer" has been relaxed, until in the last form of the Labourers' Act it is that agricultural labourer means "a man or woman who does agricultural work for hire at any season of the year on the land for some other person or persons," and includes "handloom weavers and fishermen doing agricultural work." It appears, therefore, that if a man does a day's work on a farm, or if ever so little time be devoted to agricultural work, he comes under the definition of an "agricultural labourer," and it would be possible under the Act of 1886, as supplemented by this Act, to build him a cottage—and, be it noted, whether that cottage is to be built in the country or in a town. Some hon. Gentlemen appear to be of opinion that because an agricultural labourer resides in a town, he will thereby be precluded from receiving relief under the Act of 1886. That would not be the case. It matters not where the man resides. If he does agricultural work to the extent I have described, it will be possible to build him a cottage in a town or out of a town as may be most convenient, according to the view of the Local Authority. The class which in the towns will not be affected by this Bill is relatively a limited class. Broadly speaking, throughout Ireland, the great mass of the poorest of the labouring population consists of agricultural labourers, according to the wide definition contained in the Act of 1886, and therefore I conceive that the provisions we have introduced will go a long way towards meeting the views expressed by gentlemen opposite. Now, I would ask the Committee whether it is quite fair to the Government to ask them to graft on to a Bill for land purchase in Ireland so novel and so wide-reaching a proposal, and one that would involve the employment of funds contributed by the British taxpayer for the erection of artisans' dwellings in the Irish towns? I make no comment or criticism on the Irish Labourers' Acts. But it is a very strong order indeed to ask us, in addition to the provisions of those Acts—against which, though I fully acknowledge their merits, a very large number of arguments might be urged — in the middle of the Land Purchase Bill, to make an entirely new precedent for devoting the money of the taxpayers not only to the construction but to the improvement of the dwellings of labourers in towns. Without discussing a policy which is entirely novel, it is enough for me to ask the Committee to absolve me from the enormous duty of embodying in a Land Purchase Bill so new and far-reaching a proposal.

(5.50.) MR. MAHONY: The first part of the right hon. Gentleman's argument was directed to proving that this proposal would not effect any great change in Ireland, but in the second part of his speech he went on to describe it as a novel and far-reaching proposal, and said it was not fair to ask the Government to introduce it into a measure of land purchase. I would ask the right hon. Gentleman why he himself introduced into a Land Purchase Bill a clause giving power to erect dwellings for agricultural labourers in Ireland? What have they to do with land purchase? This is a Bill for advancing money to Irish tenants, to enable them to buy their farms from their landlords. The labourers are brought into the matter for the sole and simple reason that they are asked to contribute to this guarantee, and if a novel and far-reaching proposal has been grafted upon the Land Purchase Bill it has been done by the Chief Secretary himself. We are now asking the right hon. Gentleman to extend these provisions so as to make them apply to the labouring population dwelling in towns. We have purposely excluded five cities from the Amendment, but have included all the other towns in Ireland, and I say we have an unanswerable case, because the labourers dwelling in the towns will have to contribute towards the guarantees. In asking the right hon. Gentleman to extend the proposal, so that some small benefit may go to those who are asked to give guarantees under this Bill, we are not making any unreasonable demand on the right hon. Gentleman, and we are making one which is supported by the consensus of opinion on the part of the Irish Representatives.

(5.55.) COLONEL NOLAN: The right hon. Gentleman spoke about the interests of the British taxpayer, but I do not see how the British taxpayer is affected at all by this Amendment. It is of no consequence to him whether the money is applied to this or some other purpose. It seems to me that it would be well worth while to enable a Sanitary Authority to give £5, £10, or £15 to make a man's house habitable without going to the expense of building a new one. This proposal would for the first time introduce the principle of improving existing dwellings. You generally see a fringe of poor wretched houses when you drive in or out of a town, and these are the houses that might be improved under this Amendment.

(5.56.) MR. SEXTON: I really think the case is worthy of re-consideration by the right hon. Gentleman. I would point out, in the first place, that these towns, which are outside the excepted cities, are liable for defaults. The farmers buy; they get a reduction of rent, and then, if they fail to pay what they owe to the State, these towns, as well as the rural communities, will have to bear the brunt of the default. What do the towns get under the Bill? I am not aware that they get anything, and I think equity suggests that if a benefit of this kind were conferred on the towns it would not only make the Bill a more beneficial social instrument, but would bring its provisions more into harmony with the dictates of fairness. We are dealing here with the Exchequer contribution. What is the origin of that contribution? It is a sum paid out of the Imperial purse to compensate Ireland for the local taxation licences. I say, that instead of £40,000, we ought to get £186,000. But, leaving that aside, under the Labourers' Acts the labourers cannot be dealt with in the towns in a satisfactory manner. The hon. and gallant Gentleman below me (Colonel Nolan) has pointed out that under the present law existing dwellings cannot be improved. The Labourers' Acts are very cumbrous and costly. They necessitate cumbrous local inquiries, shorthand notes, the production of maps, plans, and so forth. My impression is that under those Acts you cannot give a man a house without land. That is exceedingly awkward. I think it is worth while considering whether the Government might not engraft the Motion upon the Bill.

*(6.1.) SIR J. COLOMB (Tower Hamlets, Bow, &c.): This is really a proposal for making the Exchequer contributions available for improving town landlord's property. The hon. and gallant Member for Galway (Colonel Nolan) talks about giving assistance towards improving labourers' cottages in towns. But this is a proposal not to give it to the labourers but, as a rule, to the landlords. My observation goes to show that the cumbrous machinery which has been referred to with respect to labourers' cottages is really very necessary. We are too apt in Ireland to be lavish in giving public money here and public money there, but I myself shall certainly vote against the Amendment, on the ground that to my certain knowledge it would operate simply as a means of using public money for the improvement of the property of town landlords.

(6.3.) Mr. FLYNN: This is an Amendment supported by Members from Ireland on both sides of the House, and we hope the Government will give further consideration to it. We cannot congratulate the right hon. Gentleman on his knowledge of the social condition of Ireland. He says these dwellings are more required in the exempted towns than in the small rural towns. But he forgets that in the exempted towns there are authorities which possess sufficient powers already to erect artisans' dwellings. As a matter of fact, such dwellings are being erected in Dublin, Cork, and Belfast with great rapidity. The hon. Member opposite (Sir J. Colomb) tried to show that this money would be utilised for the purpose of improving landlords' property. That is certainly not the intention of those who support the Amendment. Let me, however, point out that it might be possible for Town Commissioners to buy up old dwellings—and I am sure they could acquire them at a very low price—for the purpose of improving them. I hope the Chief Secretary will listen to the very strong recommendations that have been made to him in favour of the Amendment.

(6.8.) Mr. MAHONY: I would ask the Chief Secretary to say what is to become of the money if it is not applied in this way? It is to go to the relief of the Poor Rate and the County Cess in Ireland. That is a matter concerning the Irish people only, and up to this moment not one single Member representing Ireland has raised a single objection to the Amendment I have proposed. In addition to this, the whole case is safeguarded by the fact that if the Lord Lieutenant is of opinion that it is not requisite to spend any money in this way in Ireland he may give directions accordingly. The whole discretion rests with him. Under the circumstances, I make a final appeal to the right hon. Gentleman to grant some concession on this point, for the benefit of the labourers.

(6.9.) Mr. PARNELL: I hope the right hon. Gentleman will re-consider this matter. I was hoping that we should have had some intimation from the right hon. and learned Gentleman the Attorney General for Ireland on the point that has been raised as to whether a house can be built under the Labourers' Act in Ireland without a plot of ground being attached to it. That point has been raised to meet the argument used by the Chief Secretary that a considerable portion of the labouring population of these smaller towns do come under the provisions of the various Labourers' Acts. I am in doubt as to whether the definition has been so extended by the Act of 1886, but it appears that it has been made extensive in the direction indicated by the right hon. Gentleman, and I want to know why the provision has not been used in the small towns for the purpose of acquiring sites which abound, and of replacing the tumbledown dwellings with suitable ones. If the Boards of Guardians have power to build houses in the smaller Irish towns, apart from plots of land, why do they not do it? I am not aware of any case where it has been done by any Board. Certainly it would be an enormous improvement if they could do it, but I doubt very much if they have the power, unless they have been given such powers by one of the various Amendments in the Act of 1886. I doubt whether they have the power to build a house separate from a plot of land or without a plot of land. Section 6 of the Act of 1883 says the schemes should provide for the erection of a sufficient number of labourers' cottages, so as to provide for the accommodation of the labouring classes in suitable dwellings, with the requisite approaches, with proper sanitary arrangements, and should also provide for a plot or garden, not exceeding half a Statute acre, being attached to the dwelling. It appears to me that that section, looking at it at first sight, supplies us with the cause of the failure of the Act, so far as the smaller Irish towns are concerned. If that is so—if the section is as I interpret it—it throws an entirely new light on this question. The Chief Secretary admitted that there is this want and grievance in the towns, and he pointed out that the definition of an agricultural labourer has been extended by the Act of 1886, so as to admit of provision being made for the building of houses in the smaller Irish towns. But if my interpretation of this section of the Act of 1883 is correct, it is evident that the Act does not contain practical provision for meeting the case of these labourers. These labourers, agricultural or not, cannot be placed in the country districts, because you cannot remove them from the main source of their occupations, which is in the towns, and, although they may come under the Act of 1886, they will undoubtedly be shut out from its beneficial provisions, owing to the impossibility of providing plots of land near their houses, and it would be useless to provide plots of land at a distance from their houses. I wish to appeal to the right hon. Gentleman to re-consider this question. The right hon. Gentleman went to the West of Ireland recently for the purpose of studying the condition of the smaller tenant farmers in that country, and for the purpose of seeing what could be done to improve their condition, at all events temporarily, and in order to provide them with work. I think the right hon. Gentleman's experience, and the works that have been undertaken as the result of that experience, have been beneficial, and have carried out, to a considerable extent, in a beneficial way, the intentions of the right hon. Gentleman. I think these works were desirable with a view to affording work for the enormous population who most required it. The Chief Secretary went for the purpose of studying the conditions of the smaller tenant farmers—persons who live outside the towns—and probably he had not the same opportunity of seeing the condition of the labouring classes in the small towns. At all events, his mind was not at all directed to this question; but I am convinced of this fact: that had his mind been directed to the question, had he seen what the condition of these poor people is, and what an immense improvement the adoption of the Amendment of my right hon. Friend would effect in their condition, the right hon. Gentleman would not be opposing this Amendment. I wish to point out to the right hon. Gentleman that this Amendment gives the power to the Lord Lieutenant. He can spend all the money, if he likes, upon agricultural labourers' dwellings outside these towns. It gives him simply the power to supply a want which I think I have pointed out exists in the Labourers' Act regarding the welfare of the agricultural labourers or those who come under the definition, in the Act of 1886, of agricultural labourers; and that being so, I trust the Chief Secretary will take power from the Lord Lieutenant to supply this want and to relieve these hardships and grievances, if the Lord Lieutenant should think proper to do so.

(6.17.) COLONEL WARING (Down, N.): I shall await with some anxiety to hear the reply of the right hon. Gentleman the Chief Secretary on this question, to know whether the Labourers' (Ireland) Act gives power to grant cottages without allotments or not. If it be true that the clause pointed out by the hon. Member for Cork has failed, and precludes the possibility of the Labourers' Act being taken advantage of in the small rural towns, I shall not be able to vote against the Amendment. I hope some arrangement will be made by which this difficulty will be got over; but I think an amending clause would be a cumbrous addition to this Bill, and ought to be added to the Labourers' Act, which is shortly to be renewed.

*(6.19.) MR. KNOX: The hon. and gallant Gentleman is mistaken when he thinks the Housing of the Working Classes Act does not already apply to Ireland. It is, I believe, being practically enforced in several parts of Ireland, such as Cork and Dublin. I would urge on the right hon. Gentleman that, after all, this is not a very large question. The question of the housing of the working classes is a very large question, but the amount of money that it will be possible to use under this provision will be very small. One private individual has recently given in the City of Dublin a larger sum for the benefit of the working classes than can be given under this provision for the benefit of the working classes all over Ireland—I refer to Sir Edward Guinness. It is hardly worth while further preventing progress by resisting the Amendment.

(6.20.) MR. A. J. BALFOUR: It is with the greatest reluctance that I oppose an Amendment, moved, I am sure, in perfect good faith, and with a sincere desire to benefit the poorer classes of the community in Ireland, and pressed on me, I admit, by gentlemen representing various interests in Ireland, who do not always agree on every question. But I think I can show the Committee that there are serious objections to the course proposed. The hon. Gentleman who has just sat down tells us, and tells us truly, that the operations under this measure will be very small. But that is one of my objections to the Amendment—that for a very small benefit to the class concerned the Committee is asked for the first time to swallow an enormous principle never before discussed upon any Bill brought before the House, and which ought not to be decided in Committee on a Land Purchase Bill. Let us observe this: The Act for providing agricultural labourers with cottages is a very exceptional one; but, then, it is admitted that the condition of the agricultural labourers in many parts of Ireland is exceptional, and that there is no analogy between their condition and that of the agricultural labourers in England and Scotland. But when we come to the towns, can we make out any distinction whatever between the urban population of Ireland and the urban population of England or Scotland? And we must altogether exclude from our view those town labourers in Ireland who gain part of their livelihood by agricultural work, for as I have already pointed out they are provided for by existing legislation. Excluding those from our purview, I would ask is there any real distinction to be drawn between the Irish artisan and the Scotch or English artisan? If there is no distinction to be drawn, would the Committee for a very small and insignificant Amendment be justified in accepting so wide, so novel, and so far-reaching a principle? I respectfully submit that it would not. The hon. Member for Cork pointed out that the provisions of the Labourers' Dwellings Act of 1883, which requires that a small plot of land shall be attached to the houses of the agricultural labourers, prevent those houses from being built in towns. But in the villages and small towns in Ireland there is no difficulty whatever in obtaining small plots at the outskirts, and if it is thought that labourers' houses should be built without small plots of land attached to them, the proper way would be to amend the existing Labourers' Dwellings Act. That could be done without much difficulty. The hon. Member for West Belfast, in the able argument he put before the Committee, told us that while this £40,000 we are now concerned in is paid from licences, under the Bill as it at present stands and without the Amendment of the hon. Gentleman, the money will be applied mostly to rural districts which have contributed nothing to it. I do not say there is no force in that objection to the Bill as it now stands. That objection could not be taken to the Bill, as I introduced it, because the £40,000 was not only distributed for labourers' cottages, but with the Irish Probate Duty grant. If hon. Members are of opinion that towns in Ireland will be deprived of the benefit of this £40,000—and I do not think such will be the case—by the Amendment I introduce, I think the proper course would be either now or on Report to introduce some Amendment which will restore to the towns the benefit we withdraw from them. For myself I do not think such a course is necessary, and I do not press it on hon. Members. My reading of the Labourers' Act leads me to believe that the case of the great majority of that part of the population who live in "agricultural towns," as they are called in Ireland—"villages" as they would be called in England—can be adequately met under the Labourers' Cottages Act. But my main objection to the Amendment is that we should not introduce into a Bill intended to deal with land purchase so new and extraordinary a principle as that the money of the British taxpayer shall be applied not merely to the construction, but to the repair of artisans' dwellings in towns.

(6.27.) Mr. MAHONY: I just desire to point out that this matter is not so trifling as the right hon. Gentleman seems disposed to make out. When the £30,000,000 is spent under the Land Purchase Act this fund will amount to £115,000 a year, and if that for 49 years is an insignificant sum——

Mr. A. J. BALFOUR: There are other objections to applying the fund as it increases in amount to the purpose indicated in the Amendment, but I did not think it worth while delaying the Committee by entering into them. I confined myself to the £40,000.

Mr. MAHONY: Then I will not press that point. The right hon. Gentleman objects to my proposal as novel, and says that if this principle were applied to Ireland it could with equal justice be claimed for England and Scotland. But I would point out that all we want to do is to provide a certain sum of money, which is Irish money and not British money, and which will go to Irish taxpayers and not to British taxpayers, for the carrying out of an Act which is not a new Act, but one that already is in existence, and that applies to Great Britain as well as Ireland. The only novel part of the thing is the provision of the money. As to attempting to amend the Labourers' Act, we know how easy it is for a single Member to prevent a Bill from passing through the House. I would ask the right hon. Gentleman this question—and I will then no longer stand between the Committee and a Division—if he will not consent to an alteration of the Labourers' Act to such an extent as to give power under it to build these dwellings or improve existing dwellings without adding plots of land, will he give those powers in the present Bill so that we may be assured of their passing through the House?

Mr. A. J. BALFOUR: I cannot consent to an Amendment that I have not seen.

Mr. MAHONY: No, no. I ask that the right hon. Gentleman should bring forward such an Amendment himself.

Mr. A. J. BALFOUR: That I must consider.

(6.30.) The Committee divided:—Ayes 78; Noes 261.—(Div. List, No. 156.)

(6.43) Mr. SEXTON: If the further Amendment is adopted it will give the Lord Lieutenant discretion.

Mr. A. J. BALFOUR: We accept the Amendment as to the Lord Lieutenant's discretion so as to include the whole amount.

Amendment amended, by leaving out the words—

"Provided that the entire amount applied towards the cost of providing labourers' cottages under the present and the last preceding section in any year shall not exceed as regards any county the share of the county (calculated according to the above proportion) in the sum of forty thousand pounds, and any surplus over and above that share shall be applied as if it were part of the Irish Probate Duty Grant; and."

Amendment, as amended, agreed to.

Question proposed, "That Clause 3, as amended, stand part of the Bill."

Mr. LABOUCHERE (Northampton): Really we have not had an opportunity of saying a single word on this clause. I have listened to the friendly conversation taking place between my hon. Friend and the Secretary for Ireland and I have not raised my voice, because I did not precisely see where the English taxpayer was concerned in it.

It being ten minutes to Seven of the clock, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again upon Thursday.

WAYS AND MEANS.

CUSTOMS AND INLAND REVENUE BILL.

Resolutions [27th April], reported (see pages 1491, 1575.)

Resolutions agreed to.

On Motion of Mr. Courtney, Bill to grant certain Duties of Customs and Inland Revenue and to amend the law relating to Customs and Inland Revenue, ordered to be brought in by Mr. Courtney, Mr. Chancellor of the Exchequer, and Mr, Jackson.

Bill presented, and read first time. [Bill 297.]

COMMISSIONERS FOR OATHS ACT (1889) AMENDMENT BILL.—(No. 244.)

Considered in Committee, and reported; as amended, to be considered to-morrow.

TRUSTS AMENDMENT (SCOTLAND) BILL.—(No. 209.)

As amended, considered; read the third time, and passed.

MESSAGE FROM THE LORDS.

That they have agreed to Taxes (Regulation of Remuneration) Bill, without Amendment.

EVENING SITTING.

MOTIONS.

INTOXICATING LIQUORS LICENCES (ENGLAND.)

Mr. LEA (Londonderry, S.): I desire, Sir, in reference to the notice of Motion standing first upon the Paper, to ask you a question on a point of Order. There are at the present time three

Local Veto Bills on the Order Book of the House, referring respectively to Ireland, Scotland, and Wales. These Bills deal with the question of giving local control over the licences within the several districts, and matters in relation to licences with which this Motion deals, and the question I wish to ask is whether my hon. Friend would be in order in submitting such a Resolution applicable in its terms to the countries I have mentioned; and whether he should not confine his Motion to England, the Local Veto Bill for England having been withdrawn?

*MR. SPEAKER: The Resolution as drawn is in very general terms, and as it stands it applies to the whole United Kingdom—England, Scotland, Wales, and Ireland. A few days ago there were four Local Veto Bills before the House, but the Bill for England has been withdrawn so as to enable the hon. Gentleman to proceed with his Motion. As the Resolution stands, however, if affirmed by the House, it would prejudice the consideration of other Bills, and especially of the Irish measure. It would, therefore, be convenient if the hon. Member were to confine the terms of his Resolution to England, and this may be done by the insertion of the words "in England." That would not only obviate every objection on the ground of anticipation, but the Motion would not then prejudice any other Bills on the Paper that the House may have ordered to be read on a future day.

*MR. J. E. ELLIS (Nottingham, Rushcliffe): I had hoped, Sir, that any difficulty in the way of the Motion had been surmounted, but I am obliged to my hon. Friend for indicating the difficulty, and to you, Sir, for the suggestion I gladly accept.

(9.2.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*(9.5.) MR. J. E. ELLIS: I desire first to acknowledge the courtesy of my right hon. and hon. Friends which enables me to bring forward this Motion. My right hon. Friend the Member for Wolverhampton (Mr. H. H. Fowler) has kindly deferred to another day a notice of Motion in which he is interested in order that my Motion might be brought on, and for the same purpose my hon. Friend the Member for the Holmfirth Division has withdrawn the District Veto Bill, which had reference to England. I am at the outset very anxious to make it clear that as the matter now stands, and especially as far as this Resolution goes, the question of licensing reform lies outside the ordinary lines of Party strife, and certainly I shall avoid saying anything to bring it within the sphere of such controversy. For my own part, I heartily welcome the efforts of any man in the direction of temperance reform whatever his political opinions on other subjects may be. It appears to me it is needless to go into the past history of this matter. On the 29th of April last year we listened to one of the most remarkable speeches ever delivered in this House—the one from the noble Lord the Member for Paddington (Lord Randolph Churchill) when he unfolded his proposals for a Licensing Bill. The noble Lord then recited the history of this matter, so far as Parliament is concerned, and I venture to think that any hon. Member who desires to look at this aspect of the case will find a concise repertory of the facts in that speech of the noble Lord. Nor do I intend to dwell on the magnitude of the evils involved in this question, for I think that is admitted on all hands. I come at once to the Resolution I have the honour to lay before the House. Two points are really raised by this Resolution, and it is on these I ask the judgment of the House to-night. In the first place, I propose a large reduction in the number of licensed houses; and in the next place I declare that it is desirable there should be further powers of control over issue of licences, and in respect to the houses to which they are attached. Now, to my first declaration—as to the necessity of reducing the number of public houses—I imagine there will be pretty general assent. The hon. Member for West Ham (Mr. Forrest Fulton) has placed on the Paper notice of an Amendment to my Resolution, indicating the nature of the obstacle—the barrier, if I may use the expression—he would desire to place in the way of a reduction in the number of licensed houses. Certainly I should have thought, after the Debates of 1888 and 1890 and the decision given at the other end of the corridor on March 20, of the present year, in

the case "Sharp *v.* Wakefield," the particular aspect of the question presented by this Amendment would hardly have been brought forward to-night. But I am very glad indeed to have the opportunity for a fair and square Debate on this proposal for compensation; and I suppose we shall hear some reason why the judgment of the highest Court in the land should not apply to the matter. Although, as I have said, the declaration in favour of a reduction in the number of licensed houses is one that I anticipate will command general assent, still, its importance is so great in my eyes that I propose to dwell on it for a few minutes. Now, what is the state of the case? In the year 1889 a Return was granted, on the Motion of the hon. Member for West Manchester (Sir W. Holdsworth), which gave some interesting figures as to the number of public houses in the country in the previous year. There were in boroughs one licensed house to every 173 of the inhabitants, and in counties one to every 219, or a general average of one public houses to every 202 people. These are the figures for England and Wales. When we come to look at particular places, that is to say, particular boroughs and licensing divisions in counties, we find an enormous disparity. In one particular borough there is a no less number than one public house to every 66 persons, whereas in another borough the proportion is one to every 480 persons. Again, in counties, I find the proportion is in one instance one to 89, and in another one for every 490 of the population. Now, whatever may be the circumstances of particular localities, I am sure there can be no reason for such inequalities as these. No sufficient reason, I am sure, can be shown why in one locality the proportion of licensed houses to population should be six times as great as in another locality. In the Bill introduced by Mr. Bruce (now Lord Aberdare) when he was Home Secretary in the Government of 1868, we find a scale of proportion, and if this scale in Clause 7 of that Bill had been carried into effect, the licensed houses would have fallen in the boroughs from 48,229 to 8,356, and in the counties from 80,279 to 29,362—that is to say, the total number of licensed houses would have fallen from the total in 1888 of 128,508 to 37,718. I think it will be agreed such reduction would be an enormous boon. I remember perfectly well at the time, though I did not then take much interest in public affairs, that there was considerable regret among friends of temperance that the Bill introduced by Mr. Bruce did not pass into law. There were reasons, no doubt, why it did not, but if we had had that Bill in operation since that time, certainly there would have been an enormous improvement in the direction I am advocating now. It is almost impossible adequately to realize what these figures mean. It is a moot point what is the precise relation between the number of licensed houses and drunkenness, but there must be a certain connection within certain limits. Let anyone walk or drive through four or five miles of streets in the City of London any evening and watch what is going on, and when he sees those many yawning sepulchres, and the class of wretched creatures entering the doors, I think he will be willing enough to agree to a proposition to reduce the number of such places by one-third or by one-half, or better still, by three-fourths, and he will allow that such a reduction must produce an enormous effect upon the evils we all deplore. Since my Motion appeared on the Paper I have had letters from several quarters pointing out localities where within 40 or 50 or 100 yards there is quite a ridiculous number of those places luring people to their destruction. On the other hand, I am acquainted, and have for 30 years been intimately acquainted with a place where the population has grown from 2,000 to 13,000, and where, owing to the prevalence of strong temperance opinions, and with the co-operation—except on one occasion—of the Bench of Magistrates, we have succeeded in keeping the number of public houses down, while the population has increased until, at this moment, there are hardly more houses than there were when the population stood at 2,000; and certain I am that this keeping down of the number of houses has had an enormous effect on the proportion of wages spent in drink, and on the general sobriety and well-being of the population. I leave this aspect of the matter with one quotation from the speech of the noble Lord the

Member for Paddington, to which I have alluded. The noble Lord said on the occasion to which I have referred—

> "Now if, as I hold, the number of public houses is largely and grossly in excess of the legitimate wants of the people, what does that mean? I hold that it brings responsibility home to all of us in this House, and it means that Parliament and the State by allowing such a condition of things to exist, force upon the people the consumption of alcoholic liquor which, without such pressure, would not be consumed."

This is strong language, but not, I think, out of place. Now I turn to the second part of the Motion, which declares that further powers of control should be intrusted to Local Authorities, and here I am anxious at the outset to remove a misconception which has arisen—a misconception which I am afraid has given some trouble to hon. Members as regards communications they have received on this subject. I have received copies of resolutions passed by different bodies in the country condemning this proposition of mine as inimical to the true interests of temperance reform. I know that from the Grand Lodge of the Good Templars Association at Birmingham a circular has been issued inviting hon. Members not to support this proposal. Now, this Association is perfectly within its rights in expressing its view; but when it goes on to speak of the National Temperance Federation, and to quote the view of the Church of England Temperance Society, of which I see some adherents in the House, it certainly goes beyond its authority. As a matter of fact, the Church of England Temperance Society has issued a circular asking Members to support the Resolution; and the National Temperance Federation has certainly expressed no opinion in the matter at all. Therefore, this Good Templar circular, in so far as it goes beyond the expression of the view of the Grand Lodge, may be put aside. Now, the misconception to which I allude has arisen in this way: It has been assumed that anyone who votes for the Resolution will be committing himself to the assertion that it is desirable to give further powers of control to Local Representative Authorities. Well, I know I am not a master of phraseology, and I may have ill-expressed my meaning, but in putting in the words Local Authorities I was not desiring in any way to commit myself or anybody. Under this Resolution there are three courses open. Further powers may be given to the present Licensing Authority; or they may be given to an elected Representative Body, and the latter again may be of two kinds: they may be elected *ad hoc*, or they may be elected in accordance with Lord Melbourne's proposal in 1835 and the Local Government Act, 1888. To my mind, the machinery by which further powers of control should be carried out is a subsidiary point, I do not dwell on it; and I have come to no final conclusion as to which of the courses I have indicated is the best. That is one of the points that demands the fullest and freest discussion. I may be followed by Members, by my right hon. Friend (Mr. Morley), who seconds this Resolution, or others who may express a decided opinion; but so far as the Resolution goes, I do not consider that anyone voting for it is pledging himself to any of the three courses I have indicated. And now I pass to a much more important and a vital matter—the powers of control. And, here again, I desire to make my position perfectly clear. The Resolution is not in substitution of, and is not in competition with, any other proposal for lessening the evils arising from drink, such as the power of direct veto. I want to make it perfectly clear that it encroaches on no ground that is covered by any proposal now before the House. The case stands in this way. If the Bill for establishing a local veto in England were to receive the Royal assent to-morrow, I am sure everyone will agree with me there would be large areas throughout the country that would not be affected by it, large areas in which the majority could not be obtained for carrying the provisions of the Bill into effect. If that is granted, then we must, therefore, continue the Licensing Authority in the districts that, by the hypothesis, a Local Veto Act would not affect, and I am anxious that in such a case, on the principle that half a loaf is better than no bread, further powers of control should be obtained at once without waiting for the operation of direct veto. Therefore I submit with the utmost confidence that this Resolution does not encroach, or traverse, impede, or hinder the principle of which I, myself, fully adopt of direct popular veto. It is only supplemental, it will only come in where there is not that happy state of things where there is a majority in favour of closing or largely reducing public houses. It proposes to confer further powers of control, and to this end a reform eminently desirable is a codification and simplification of the law. There are two principal Licensing Acts at this moment, the Acts of 1872 and 1874, and these have 108 sections. When cases arise under these Acts, the state of chaos, the "confusion worse confounded" is discovered. The first point of reform then would be—and it is an absolute necessity—a simplification of the law. Under the Act I have mentioned, and 22 subsidiary Acts, there are 12 different kinds of licences. I see the right hon. Gentleman the President of the Local Government Board is in his place. I do not know whether he is inclined to again try his hand at licensing reform; but certainly there is an excellent field for his abilities in a codification and simplification of the licensing law. I am sure a Bill with that object, if referred to the Grand Committee on Law, would be received most sympathetically. Then I pass to the next point of reform which relates to the structure of the houses to which these licences are attached, and here I propose to meet an objection frequently raised. I agree that a mere reduction in the number of licences will not be sufficient; it ought to be laid down by law that the licence granted attaches to the particular structure as it was at the time the licence was granted. This point is illustrated and supported by Clause 16 in the Bill of the noble Lord (Lord Randolph Churchill.) He made it one of the *laches* for which a licence was to be forfeited, the surreptitious making of external communication in the building. There should be no alteration in the structure of the building or the tenure upon which the house is held after the licence has been granted. Then I come to a fruitful cause of evil—the system of "tied houses," that is, houses which are the property, or partly the property, of great brewing firms. I might say that they are entirely opposed to the old idea of what constituted a licensed victualler's house. In former days a licence was granted to a person who was known to be of good character, and who offered to the public the accommodation and the legitimate attraction of an old English inn. People went to houses kept by such persons for the purpose, not of sitting and soaking, but of obtaining legitimate refreshment. Tied houses, on the other hand, are managed by weekly or monthly servants, upon whom no responsibility rests, while every effort is made by the great firms or companies to which such houses belong to stimulate trade by inducing excessive drinking, and one of the consequences is, I am informed, that the quality of the liquors supplied has deteriorated. By the absurdly enhanced price given by the brewer for the premises the rental is unduly raised, and illegitimate methods of business are stimulated in order to make the requisite financial success. The result is that the character of such houses becomes lower and lower. There is a descending plane of conduct as control diminishes. It is a monstrous, a portentous, development, which ought to be checked by new legal provisions. The whole system connected with such houses is a vicious one, and requires that the licence should be attached to the person as well as to the premises. The latter portion of my Resolution adverts to the times during which houses should be open. In this and in other respects, on which there is not now time to dwell, a free hand should be given to Local Authorities, so that the public opinion of their localities may be accurately reflected by their action. In conclusion, I wish to advert to the present position of this matter. It is admitted on all hands that there must be some reform. The proposals made by the Government in 1888 and 1890 were on a par with this. Many of us on this side of the House opposed those proposals. I opposed them because I shall always oppose the putting into the Bill of any words which seem to me to increase in any degree whatever estate or interest there may be in a licence. Since this Resolution first appeared on the Paper—on the 20th of

March last—a very important event has taken place. The decision has been given in the final appeal in the great case —as it will, I believe, hereafter be called —of "Sharp *v.* Wakefield." The Judges of the House of Lords, the highest Court in the land, have declared in unmistakable terms what is the law on the subject. I am told that some people say there is no alteration in the law. I admit that entirely. It is very much what we said on this side of the House in 1888 and 1890. The Solicitor General (Sir E. Clarke) advised the Government differently and the Government based their policy on his advice. The Solicitor General has publicly admitted in a letter which I think does him very great credit indeed, that he was mistaken. However, the policy of the Government having turned out to be wrong, the ground is now clear on their side. They have made a mistake and are no longer bound by the position which arose out of that mistake. On the other hand, I, for one, admit that our destructive attitude in 1888 and 1890, successful as it was, places on us a burden of responsibility, and that we are bound to depart from it whenever we have the opportunity of doing so. That opportunity seems to me now to have come. What, then, is the method of procedure we should adopt? I think the only successful way towards licensing reform will be to lay down at the outset a few broad principles on which men who are in earnest in all quarters of the House are agreed. If we can do that I think the details might be fairly threshed out in some of the conferences that are going on up and down the country, and possibly, in another Session, we might find ourselves much nearer agreement. I am not sure that the time has come for actually crystallising into the shape of a Bill, the proposals that are regarded as necessary. To show the kind of conferences I mean, I may say that in the *Leeds Mercury* of to-day there is a most interesting account of an important conference which took place in that borough yesterday, and I am glad to say that the first letter I received this afternoon when I came down to the House was one containing a resolution from that representative conference thoroughly endorsing the Motion I am now moving. It is because it is my strong conviction that this Resolution would, if it were adopted, be a solid step in the progress of this great question of licensing reform—a question which I have throughout my life been convinced lies at the root of the social wellbeing of the people of this country —that I have the honour most respectfully and earnestly to ask its adoption by the House.

Motion made, and Question proposed,

"That this House is of opinion that a large reduction in the number of houses in England licensed for the sale of intoxicating liquors is desirable, and that Local Authorities should be intrusted with further powers of control over the issue of such licences and with respect to the days and hours during which the licensed houses should be open."—(*Mr. J. E. Ellis.*)

*(9.42.) MR. FORREST FULTON (West Ham, N.): I must congratulate the hon. Member who has just sat down upon the moderate character of his speech. I entirely agree with that portion of his speech in which he laid stress on the fact that all Parties in this House are agreed that there is an excessive number of licensed houses. For my own part, I also entirely concur with him in the opinion I understood him to express that the excessive number of public houses does produce excessive drinking. As to the hon. Member's proposal that the granting of licences should be subject to local control, I must point out that he did not in any way indicate what was the nature of the local control he desired to establish. For my own part, I think that licensing questions have always been dealt with by the Licensing Justices with conspicuous wisdom, fairness, and moderation. At the same time, I am fully conscious of the fact that there has been growing up for a long time past among many who differ on other questions a belief that the licensing question should be handed over to some Local Authority. I certainly think it is incumbent upon those who seek to take the licensing power away from the Justices to show what is the nature of the Local Authority they propose to substitute for the Licensing Justices. If the hon.

Member had expressed himself in favour of handing over the control of licences to the County Councils I should certainly have opposed such a suggestion, because I believe that to take that step would be to throw an apple of discord among them, and to render it difficult for Local Government to be carried on in the harmonious manner in which I am glad to think it has hitherto been carried on under the Act introduced by my right hon. Friend the President of the Local Government Board. If we are to have a Local Authority at all which is to deal with licensing, I would prefer that it should be a Local Authority elected solely *ad hoc.* I think I may maintain that I am on this point in advance of my hon. Friend, who somewhat trembles on the brink of his own Resolution, and has not had the courage to declare what is the Local Authority he would wish to set up. I will now pass to the Amendment of which I have given notice, and I may claim that I have a very clean record on this question. I have always entertained the opinions to which I have just given expression, and have always adhered to the belief that whenever the licensing question comes to be settled it can only be settled if Parliament is prepared to adopt some system of equitable compensation. The hon. Member frankly admitted that it was a great misfortune that Mr. Bruce's Bill did not become law many years ago, and he drew attention to the beneficial results which would by this time have accrued if that measure had passed into law. I would remind him that the reason why it did not pass was that it was opposed by those who call themselves advocates of temperance in this House. My hon. Friend says he is very much astonished that anyone should come forward in the month of April, 1891, and suggest, after the experience of last year and previous years, that there is any ground for saying there should be any compensation given for the reduction of licensed houses. The Resolution proposes that there should be a large reduction in the number of houses, and my hon. Friend says we are now at a particularly favourable moment for dealing with the question, because the House of Lords has declared in "Sharp *v.* Wakefield" that Licensing Justices have power to take away any licence at the end of the ensuing year.

*MR. J. E. ELLIS: I did not quite say that. What I meant to convey was that we were in a favourable position because the attitude of the Government in 1888 and 1890 had by the admissions of their Solicitor General turned out to be mistaken.

*MR. FORREST FULTON: I understood him to suggest that the decision in "Sharp *v.* Wakefield" was a great turning point in the question of licensing reform, and that it enabled us to approach the question from a satisfactory standpoint. Well, speaking of the licensing proposals of the Government last year I ventured to express an opinion that the previous decisions of the Courts on that point were perfectly accurate. To my mind there never was any doubt whatever that the licence was granted for a single year, and that if the Justices chose to take away that licence for any reason—or even without any reason—there was no further question of law which could be discussed. But, then, my friend forgets, and all temperance reformers forget, and all temperance speakers and agitators forget, one fact, which I venture to bring forward, and that is this: that while the decision in the case of "Sharp *v.* Wakefield" establishes the fact that Licensing Justices may in certain cases take away licences if so advised, it leaves untouched the incontestable circumstance that there exists a large number of licensed houses (and it is highly important that the attention of the House should be directed to them) which have had conferred upon them an absolute vested statutory right of renewal every year. I refer to the beerhouses licensed on the 1st May, 1869, and I desire to express my great regret that when last year this question was raised in this House, and gave rise, as we all remember, to so much heat and acrimony, the Government, in proposing to allocate £350,000 to the extinction of licences, did not propose to limit this appropriation to those houses which undoubtedly possess a statutory vested interest. As to the number of these houses the Return of 1870 throws light on this point. In the year 1869 beerhouses were brought under the control of the Magistrates for the first time. Prior to that date their licences were derived simply from the Excise. In the year 1869 the Legislature conferred upon Justices of the Peace the control of such houses, but it was provided specially that all—

> "'On' licences of beerhouses existing on the 1st May, 1869, should have an absolute right of renewal, provided that the licence-holder showed himself to be a man of good character, and the house was of a certain rateable value."

On the 26th of April, 1870, on the Motion of Mr. Locke, a Return was ordered, and it appears from this Return that at that time—1870—there were 63,419 fully-licensed public-houses in England and Wales—apart, that is, from the Metropolis which was dealt with separately — and 45,203 "on" beerhouses, so that no less than 44 per cent. of the licensed houses of the country had in 1870 an absolute vested right to renewal. Coming to London, I find that the number of fully licensed houses was 5,950, and of "on" beerhouses 3,927 so that here again a very large proportion of the total number of licensed houses had an absolute vested right to renewal. Now it will be said—and it was said in the course of the Debate last year—that these figures do not show the numbers in regard to the licensed houses at the present time; to a certain extent this is true. But, fortunately, a Return was obtained by the noble Lord the Member for South Paddington, which showed that there was no material difference between the number licensed on the 1st of May, 1869, and of those licensed subsequently. What I desire to point out is this, that anybody acquainted in any way with the subject of licensing knows perfectly well that during the intervening period it has not been the general practice of Justices to grant any but full licences—except in the case of restaurants and other places where eating takes place—so that the number cannot really be very different from that of the Return of 1870. According to the Return of 1870, Birmingham, for instance, with the district immediately surrounding, had 867 fully-licensed houses, and 1,432 beer houses; Bolton, 1,724 fully-licensed, and 2,503 beerhouses; Gloucester, 771 fully-licensed, and 770 beerhouses; Halifax, 1,037 fully-licensed, and 1,558 beerhouses; Manchester, 1,384 fully-licensed, and 3,877 beerhouses; Warrington, 1,648 fully-licensed, and 1,850 beerhouses; Bristol, 631 fully-licensed, and 1,057 beerhouses; Liverpool, where for some years there was free trade in drink, 2,020 fully-licensed, and 881 beerhouses; York, 1,166 fully-licensed, and 367 beerhouses; and Bangor, 1,080 fully-licensed, and 105 beerhouses. According to the Return of the noble Lord the Member for Paddington, in 1890 the figures were—Bristol, 429 fully-licensed, and 542 beerhouses; Manchester, 494 fully-licensed, and 1,640 beerhouses; Derby, 253 fully-licensed, and 97 beerhouses; Gloucester, 119 fully-licensed, and 97 beerhouses; Birmingham, 655 fully-licensed, and 1,030 beerhouses; Bolton, 128 fully-licensed, and 265 beerhouses; West Ham 141 fully-licensed, and 113 beerhouses; Yorkshire (West Riding), 2,129 fully-licensed, and 991 beerhouses; Gloucestershire, 741 fully-licensed, and 638 beerhouses; Kent, 1,617 fully-licensed, and 1,065 beerhouses; Middlesex, 4,364 fully-licensed, and 2,056 beerhouses; and Essex, 1,140 fully-licensed, and 691 beerhouses. The House will see that the question of compensation will always face them whenever they come to deal with the licensing problem, unless they are prepared to adopt a policy of confiscation and to break a Parliamentary compact solemnly entered into in 1869. When the matter comes to be dealt with, it will be found that these beerhouses licensed on the 1st of May, 1869, have an undeniable claim to compensation if their licences are refused renewal. That is the point to which I invite the attention of the House. Either you are going to compensate the owners of these houses whose licences are refused renewal, or you are not. If you are not, you will be practising sheer confiscation. If you are, you will be compensating the owners of the very class of houses which by universal testimony it is most desirable of all others to extirpate, and which form the enormous proportion of 44 per cent. of the licensed houses of the United Kingdom. Then, again, apart altogether from the question of what is due in particular to these beerhouses, though I have never had any doubt myself as to the power of the Justices to refuse the renewal of licences, yet, on the other hand, I have not the least doubt that a person possessing a licensed house has an equitable property in his licence which may not be injured and destroyed by non-renewal without compensation unless there is reasonable ground for such a proceeding. The Act of 1872 expressly provides that a licence shall not be taken away unless there have been three recorded convictions under the Act in the case of the house in question, and it gives to the owners of the licence the right of appeal in the case of each of these convictions—stipulating that, on the second conviction, the owner shall have due notice of the fact that his property is in peril, in order that he may take the needful steps to defend it. Now, it is inconceivable that such provisions as these could be inserted in the Act unless they are intended to imply that some form of property does appertain to a licensed house. Further, the Legislature was careful to enact that even if, after three recorded convictions, the licence is not renewed, the licence-holder shall not be disqualified for more than five years, or the premises for more than two years. In the year 1874 an Amendment to the Licensing Act was made by the introduction of what are called provisional grants. It had been felt to be a grievance that persons about to erect expensive houses, to be used for the sale of intoxicating liquors, could not be certain whether, after they had expended their money, they would be able to get a licence. Accordingly the Act of 1874 provided that persons might lay before the Licensing Authority plans of houses intended to be erected, and obtain a provisional grant of a licence for the premises when erected in accordance with those plans. They could ask the Justices to give a licence in advance for a house which they contemplated erecting; and, having obtained this provisional licence, could set to work and build their house, confident that, provided it was erected in compliance with the plans laid before the Justices, they would obtain for it a licence when completed. Can it be believed that the Legislature, in making this provision, intended that in the case of such premises there should be no rights of property? Certainly no man in his senses would think of investing money in such a building if he knew that it was in the power of some Local Authority to decline, without any reason, to renew the licence required. Therefore, I think it is clearly a consequence of the Act of 1872 that no licence ought to be taken away, except for some good reason, without equitable compensation being given to those pecuniarily interested in the licence; and it is because I hope and believe that Parliament will never sanction such a proposal as that contained in the Resolution, unless accompanied by equitable compensation to persons having a pecuniary interest in the licences dealt with, that I now beg to move the Amendment that stands in my name.

Amendment proposed, after the first word "That," to insert the words "provided equitable compensation be given."—(*Mr. Forrest Fulton.*)

Question proposed, "That those words be there inserted."

CAPTAIN BETHELL (York, E.R., Holderness): I beg to second the Amendment.

*(10.10.) MR. J. MORLEY (Newcastle-upon-Tyne): The hon. and learned Gentleman who has moved the Amendment has stated the grounds of it with great fairness and moderation. The hon. and learned Gentleman, I am glad to know, agrees with those of us who support this Motion in its first proposition—that there is an excessive number of public houses, and in the further proposition that that excess in public houses must give rise to excess in drinking. The man who does not believe that, is capable of believing anything. He went on to controvert the second proposition in the Motion, which is that control ought to be conferred upon the Local Authorities over the issue of licences. Although the hon. and learned Member

agrees that there is an excessive number of public houses, yet the commends the conspicuous wisdom and success of the Magistrates who are responsible for that state of things.

Admiral FIELD (Sussex, Eastbourne): No, no!

*Mr. FORREST FULTON: May I remind the right hon. Gentleman that the number of licensed houses is due to a condition of things which existed at least 20 years ago, for which certainly the present Licensing Justices are not responsible?

*Mr. J. MORLEY: The hon. and learned Member cannot deny they are mainly responsible for that very excess which he condemned. Then the hon. and learned Member repeated the argument he brought before the House last year in connection with the beer licences existing on May 1, 1869. There was an answer made to that argument then which, I think, holds good now. He has given us the figures of 1870, but he has given us no proof whatever that the figures of 1870 are still the authentic figures on the subject. I have been supplied with figures for which I am not personally responsible; but I see no reason to doubt that they are as good as those given by the hon. and learned Gentleman. According to my figures, there are now in existence only some 38,000 "on" beer licences. The hon. and learned Member went on in what is, after all, the most important part of his speech to make very extraordinary assertions with a view to minimising the effect of the decision in "Sharp *v.* Wakefield." I know that the hon. and learned Gentleman has a knowledge of licensing matters such as few other Members of the House have; but, in spite of that, I must prefer to believe that the decision of the Courts below in the first place, and of the House of Lords in the second, is even of superior authority to the opinions of my hon. and learned Friend. He has, in fact, only repeated the arguments used before the House of Lords by the learned Counsel who has since been made a Judge. If, therefore, the House of Lords, having heard all the arguments that have now been adduced, yet decided against the proposition which the hon. and learned Gentleman asks the House to accept, the House will not be wrong if they assume that the House of Lords, in confirming the judgment of the Court of Appeal, knew what they were about. We may, therefore, assume that the propositions of the hon. and learned Gentleman cannot be sustained; and I will undertake to say they will never again be endorsed by a lawyer speaking from the Front Ministerial Bench with the official responsibility of a Law Adviser of the Crown. The hon. and learned Gentleman said, "Here is property, how can we destroy it?" But the House of Lords has decided that there is no property. I will not go through the various propositions he laid down, because I think the sense of the country has already appreciated the full force of that judgment, and confirms the position taken up by the Mover of the Resolution, that it marks a critical turning point in the whole question of licensing. We may hope that this great social and moral cause is being lifted out of the region of mere Party strife; but I must say that this Amendment, being in exact conformity with the utterances of the Prime Minister and the Leaders of the Conservative Party, does make one doubt whether it will be possible in the future course of the question to keep it outside of Party. I do not in the least object to the Amendment being moved; on the contrary, I am rather glad of it, because it cannot be denied that this Amendment does raise a direct issue with the Motion. It is not a mere rider upon the Motion, but it raises a direct issue with it. In spite of its innocent and equitable pretensions, the Amendment is intended, or at all events it is bound, to bring to nought both the propositions of the Mover. If you insist upon the proposal to pay compensation in all the length and breadth which the hon. and learned Gentleman laid down, then it is of no use to say that a large reduction in the number of licences is desirable, and it is of no use saying that it is desirable to transfer the control over licences to Local Authorities. If you accept the hon. and learned Member's views as to compensation, you will have to go on with your excessive number of public houses, and you will not be able to transfer the control of them to Local Authorities. As far as compensation goes, I frankly confess I have never left out of sight those equitable considerations which ought to guide us, and to weigh with us, in dealing with great interests which have grown up during the prevalence of a natural belief that an existing legislative policy would endure. I believe even the hon. Baronet the Member for Cockermouth has himself voted for a compensation Resolution.

SIR W. LAWSON (Cumberland, Cockermouth): Equitable.

*MR. J. MORLEY: That is quite true. But the decision in "Sharp *v.* Wakefield" makes a great difference. What the Mover called, the monstrous and portentous growth of the tied house system — that, too, makes a great difference. Parliament never contemplated that brewers, or syndicates of brewers, should own vast numbers of tied houses, and I hope it never will. There is a huge distinction in morals—and it must be when the time comes that the Legislature will recognise it—between those owners of great numbers of tied houses, and the licensed victualler who carries on a trade in his own house. Now, in either class, a claim to money compensation can only arise in case of a change being suddenly made. Notice makes all the difference. Even with regard to an individual publican carrying on his own house, it will not be possible much longer to maintain that he has not had, and is not every day having, notice. The judgment in the Over Darwen case was notice; the decision in "Sharp *v.* Wakefield" is notice; the great tide of public opinion which was so strong in 1888 and 1890 that it would even have destroyed the Government if they had not yielded to it, that again was notice. The vote on the Welsh Veto Bill was notice. And when we read in the Return presented last year the astonishing facts connected with tied houses, it is impossible to maintain that a great change will have been suddenly made. I do not believe, upon any principle of equity with which I am acquainted, it will be possible in the face of these circumstances to contend for compensation. Prophecy has been described as the most gratuitous of all forms of mistake, and, therefore, I will

not exactly prophesy; but I will express my doubt whether any Minister will ever again stand at that box and propose compensation by way of money payment. My own impression is that if the doctrine of compensation be entertained at all, it will be carried out by some arrangement of time by which a man actually in a public house may, by a certain period of enjoyment, have all reasonable expectations satisfied. Anyone who watches closely the signs of the times, and the enormous rapidity with which this question has gained its hold upon public opinion, must be aware that the sands in the glass are running out, and that even this time limit will, as the discussion proceeds, become shorter and shorter. There is one point in the decision in "Sharp *v.* Wakefield" which I should be sorry to overlook, because it has an immediate bearing on what is going to be done before the end of this year in Licensing Sessions. The Lord Chancellor said—

> "It is not denied that, for the purposes of the original grant, it is within the power, and it is even the duty, of the Magistrates to consider the wants of the neighbourhood with reference both to population, the means of inspection by authorities, and so forth."

Mark, it is not merely within their power, but it is their duty. According to this decision, of which the hon. and learned Gentleman opposite makes so light, it is as much the duty of Licensing Magistrates, at their forthcoming Sessions and at all future times, to cancel unnecessary licences as it is within their power to grant necessary licences. They are not merely empowered; they are in duty bound to reduce licences. The hon. and learned Gentleman may dispute that reading of the judgment, but I do not believe any other reading is possible. The Amendment is fatal to the propositions of the Resolution. As to Local Authorities, no doubt the term, standing baldly by itself, needs explanation. We all agree that the number of public houses is excessive; the licensed victuallers agree in that; the President of their Defence League said not long ago—

> "The trade as a body have for long believed that there is a very large number of houses which might be reasonably dispensed with, and that some thousands of existing licences might advantageously be cancelled."

We are all agreed, too, I think, both in this House and outside it, that there ought to be popular control over the issue of licences. ["No!"] Someone opposite said "No." That is very extraordinary, because the right hon. Gentleman the President of the Local Government Board will not dispute, I think, that the policy of the Government was based upon that assumption. ["No!"] It must be so; everybody must feel that the control must be removed from a nominated and irresponsible body to a body answerable to public opinion. My hon. Friend the Mover of this Resolution said there were three courses open, and he included among them the maintenance of the licensing power in the present hands. For my own part, I banish that last course from my contemplation. I do not think that public opinion will tolerate it. The whole opinion of the times is in favour of transferring the control of these matters to Representative Bodies. Therefore, you have two courses. You must either transfer the control of the issue of licences and other licensing matters to Municipal Bodies in the boroughs and to County Councils in the counties, or else you must transfer these powers to bodies created *ad hoc*, just as the School Boards were created for educational matters. Whichever of these two Local Authorities you choose, whichever seems best calculated to attain the ends we all have in view, the question of the nature of the Local Authority becomes a secondary question, if you admit the principle which my hon. Friend the Mover of this Motion contended for, and which I contended for in dealing with the Welsh Local Veto Bill. I say that the question of the nature of the Local Authority becomes secondary if you admit the principle of direct popular veto. Whether you intrust your licensing power to Municipal Councils, or to Licensing Bodies created *ad hoc*, does not matter—though I have a strong preference—provided you submit to the ratepayers for their decision the three questions which were put in the Welsh and the Scotch Bills. That is to say, you must ask them—if a sufficient number require the question to be put—whether they will prohibit licences altogether, or whether they will reduce the number of licences, or whether they will prevent the granting of new licences. I put it to those very advanced temperance reformers who find fault with the Motion before the House, whether the nature of the Local Authority matters from their point of view, provided that you have this means of obtaining directly the real wish of a preponderant majority of the ratepayers on these crucial questions. I know that some advanced temperance reformers object to any elective authority whatever interfering in this matter. They object to what they regard as a partnership and a complicity in an obnoxious and wicked traffic. I perceive the full point of that objection, but I do not share it or sympathise with it; and whatever view may be taken by the advanced temperance reformers, I only express my own conviction that, as far as I can read the signs of the times, it is absolutely certain that, sooner or later, these powers will be transferred to a Local Authority. And all that I can hope for and work for is that that Local Authority shall have the guidance of a direct popular vote on the three questions that I have mentioned. Then as to the choice between transferring these powers to Municipal Councils and to Licensing Authorities created *ad hoc*, the arguments in favour of entrusting the powers to Municipal Bodies were stated by the noble Lord the Member for Paddington (Lord R. Churchill) when he brought forward his Motion last year. It is said that these bodies are of great weight and authority; that, having much other business in hand, they are less affected by trade interests on the one hand, or by what is called temperance fanaticism on the other hand; that they are not likely to go too far ahead of public opinion; finally, that this proposal would meet with less resistance in this House. I think the last argument is rather a lazy and indolent argument. But, apart from that, it seems to me, after consulting with many gentlemen who have had great experience in Local Government, and who are almost unanimous on the point, that, as I ventured to say in discussing the Welsh Local Veto Bill, no greater disservice could be rendered to that cause of Local Government to which, mark you, we are giving such enormous powers, and which is destined more and more to affect our political and social system, than to mix up with it a business which, like the temperance question, cuts deep into so many interests and rouses so many strong and even violent passions. If you gave control of the liquor question to Municipal Councils, one of two things would happen. Either it would overshadow all other questions, which would be a great evil, or else it would recede entirely out of sight and be forgotten, which would also be a great evil. I do not know which would be the greater evil of the two; but either would, in my judgment, be most injurious to Local Government. Then as to Boards elected *ad hoc.* It may be in the recollection of some Members of the House that in 1876 Mr. Joseph Cowen, then a Member of this House representing the City that I have now the honour to represent, brought forward for the first time a proposal that licensing powers should be entrusted to a Board elected by the ratepayers, and, I rather think, that Mr. Cowen suggested also another kind of Board, not elected directly by the ratepayers for licensing purposes, but composed, for dealing with licensing questions, of two representatives from the Boards of Guardians, two from the School Boards, and two from the Municipal Councils. However, it is not worth while to go into details of that kind. They do not affect the principle that was then first brought before us. Nothing more clearly indicates the enormous growth of opinion and the extent to which popular control over licensing has now got hold of the mind of Parliament, than the reception which that proposal met with in 1876. My hon. and gallant Friend the Member for Sussex (Sir Walter Barttelot), whom we all regret not to see amongst us, who moved the rejection of Mr. Cowen's Bill, said that it was the most extraordinary Bill brought before the House of Commons for years. At that time the proposal was ignominiously thrown out. Another Bill in 1885, promoted by the Church of England Temperance Society, proposed a Board to be composed of four Justices, and of twice as many elected members. This Board was to be trusted—it was before "Sharp *v.* Wakefield" — with absolute discretion in what they should think most expedient in the interests of the districts they represented. Of course, the Bill had a compensation clause in it. I saw the other day a new set of proposals for Licensing Boards. According to these proposals, the Board in counties was to contain the representatives of the areas, plus an equal number of members elected by the county Magistrates within the division. In the municipalities the Council was to be the Board, plus a number of Justices acting within the district. I have only one comment to make upon all proposals of that kind, and that is a comment with which most gentlemen in this House will, I think, agree. They will feel that all devices of this kind are expedients by persons—however well-intentioned they may be, and I am quite sure that they are well-intentioned—who do not know their own minds. While they want to appear to trust the people, they do not in their hearts trust the people; and, while professing to give to the community the power of protecting itself against the evils of excessive public houses, they will not screw their courage to the point of allowing the people to say plainly yes or no to the question whether they will have public houses, or whether they will have few or many of them. I entirely disbelieve in the efficacy, either for the temperance cause or for good government, of these half-and-half Boards, just as I disbelieve in the expediency of handing licensing powers over to Municipal Councils. I do not wish to weary the House by reciting the provisions which have been adopted in the colonies for licensing control; but for those who desire to watch the drift of public opinion in this country, it is important that they should not overlook the doings in those countries whose political system, though newer than ours, is, after all, very much the same as ours. There have been, I admit —and all temperance reformers in the House know it—enormous fluctuations of opinion as to the machinery of licensing, both in the United States and in our own colonies. But what do those fluctuations show? They only show the intrinsic difficulty of the subject with which we are dealing. They also show that in democratic countries temperance and social reformers will not be content, and rightly, until some means have been adopted—and the final means can only be arrived at after many experiments—for giving to localities a direct and effective voice in the matter. There is the last Colonial Act—the Ontario Act of 1870, amended in 1890. The proposal, which I am sure everybody would like to see incorporated in the English Licensing Code, is that no new licences should be granted and no old licences should be transferred, if the majority of the electors should petition against it. If the House will consider the enormous percentage of transfers every year, this clause alone would place immense power in the hands of the community to get rid of the worst houses. Then there is this clause in the Ontario Amending Act of 1890—

> "The Council of every city may pass bye-laws for prohibiting sale by retail of liquors in any tavern, inn, or other house or place of public entertainment, and for prohibiting altogether the sale thereof in shops or places other than houses of public entertainment, provided that the bye-law has been approved of by the electors of the municipality in manner provided."

This shows how backward we are in this country relatively to some of our own kinsfolk; but it cannot be denied that we are growing less and less backward exactly in proportion as public opinion finds means of expressing itself. The reduction of the franchise and the redistribution of political power have been followed by louder and louder voices in favour of the kind of control which we are advocating here to-night. The more clearly you hear the popular voice, the more loud and distinct is that voice in favour of legislation of this kind. I do not know why we should wonder at it. Would anybody in this House like to have near his own door a flaunting gin-palace with its noise, its reek of liquor, its scenes of disorder? Would he like to have even a well-conducted house? Why, then, should we be surprised that workmen, with wives, and sons, and daughters, object as vehemently as we should to the proximity of these centres of annoyance, disorder, and disturbance? I believe that feeling was at the root of the indignant and, I may say, the fierce cry against compensation in 1889-90. Workmen who have suffered all the annoyance springing from these houses, that are a standing nuisance to their daily lives, cannot understand why they should have in order to abate the nuisance to put their hands into their pockets and buy out the men who have been the means of tormenting them. Whether we like it or not, and whatever we think of it, this tide of opinion is certain to go on and swell. Lord Salisbury said in 1886, and said most unwisely, that the demand for this legislation was a temporary craze, and, like all other crazes, would pass away. I think that was a most unfortunate piece of misjudgment. It is not a temporary craze. It is a rational demand on the part of the community to protect themselves. It is not a temporary craze, because the more clearly you gather the popular voice, the more distinctly you perceive the determination of the people to get the power to protect themselves against what is admitted now on all sides to be the greatest curse that can afflict a community.

*(10.52.) MR. MILVAIN (Durham): It is admitted, I think, on both sides of the House that there is an excess of public houses, and that it is desirable that the number should be decreased, but there seems to be some uncertainty as to what means are to be adopted in order to bring about that decrease. It seems to me that the spirit of the age will hinder people of small capital from investing in licensed premises, and will induce people already in the trade to get out of it as soon as they possibly can, and on the best terms they can. But I came down to the House this evening to hear what means were to be proposed by the Mover of the Resolution for reducing the number of public houses. I came to hear what Local Authority the hon. Gentleman proposed to create in order to bring about this decrease. I was unfortunate in not hearing the speech of the hon. Member who moved the Resolution, but I did hear the speech of the hon. Member who supported it; and I regret to

say that after the speech to which we have just listened I am left as uncertain as I was before I came to the House as to what was to be the Local Authority in which these powers are to be vested. We have had a great deal of speculation and theory as between County Councils, Municipal Authorities, and Authorities elected *ad hoc;* but, for my own part, I cannot help thinking that if the authority is to be elective, no authority would be satisfactory to deal with licences which has not the administration of the rates. I am one of those persons who professing a faith prefer to hold on to it until a better one is set up in its place; and I have not—at least this evening—heard of a better authority than that which now exists. That authority is the Magistrates, and I must say that, so far as my personal experience is concerned, it has discharged its duties exceedingly well. I do not think anyone can seriously find fault with the Magistrates for not having discharged their duties equitably and fairly. That being so, I prefer to leave the licences to the Magistrates until a better authority is set up in their place. I have heard to-night—and I quite expected it—that there is a turn in the principle which ought to guide the granting of licences caused by the recent judgment in the case of "Sharp *v.* Wakefield." I hope the right hon. Gentleman who supported the Amendment will not take objection if I say that the "Sharp *v.* Wakefield," judgment is a declaration of the existing law upon a certain set of facts. It is not a reversal of a generally acknowledged principle. Therefore, it becomes necessary to see what is the existing law. I cannot alter a single word I have ever said in this House or elsewhere on this point. There is vested in the Justices discretionary power to refuse absolutely the continuance of a licence, but they have no power absolutely to deprive a licensee of his licence. If they do so they may be compelled to state their reasons for it. This discretion is followed by a condition which has to be exercised judicially. A refusal must be for valid reasons. That there are too many licensed houses in a certain district may be a valid reason, but the guiding principle is the character of the licence holder, and of the premises licensed. I admit that these are not the only principles that ought to guide the Justices, but they are the most important and generally accepted principles. The right hon. Gentleman has quoted from the case of "Sharp *v.* Wakefield," and I, too, will quote it—I will quote the judgment of Lord Esher, which is not dissented from by the House of Lords. He said that if this discretion I have alluded to is not exercised with the greatest care irreparable injury, perhaps injustice, may be done. I say, therefore, that the Magistrates have not an absolute discretion. They have a discretion which must turn on certain guiding principles which are well laid down and recognised—which are that so long as a man's character is good, and there is no valid reason for the discontinuance of his licence, he has a vested interest in his licensed premises. Now, I admit that the occupation of the publican is not one that I would choose myself. It is a question of taste; but the individual who selects that occupation selects an occupation which is recognised by the law. It is safeguarded to some extent by the Legislature. To deprive the publican of his occupation through no fault of his own, without giving him some compensation for the outlay he has made in his premises, or of such interest as he may have in his licence, would certainly be an injustice to which I can be no party.

(11.0.) MR. STOREY (Sunderland): Of all the Resolutions I have heard during the last 10 years, the present seems to me the most innocent and the least open to criticism. The hon. Member opposite (Mr. Forrest Fulton) admitted that the number of public houses is excessive, and so accepts the main contention of this Resolution. Is there any hon. Member who will deny that the number of public houses, especially in the manufacturing districts, is excessive? In the large towns and industrial centres of the country they have been productive of infinite mischief to the body politic.

The second contention of the Resolution of my hon. Friend is that the Local Authorities should be entrusted with further powers of control over the issue of such licences. The hon. Member in his speech did not deny the propriety of that contention. He admitted that further powers of control were necessary, though he adhered to the old plan that they should rest in the hands of the Magistrates. The Magistrates are very honourable men, occupying honourable positions, which I hope they have worthily adorned. We who sit on this side of the House would venture to say that, in this democratic age, the Magistrates could in no sense be called a Local Authority. From whom do the Magistrates derive their functions? In this House, I shall always assert, as a Democrat, that the only real base and ground work of authority must be the people, by their votes. Who says the Magistrates, as at present constituted, are in this sense a Local Authority? There may be a conflict of opinion on this side of the House as to what the Local Authority, intrusted with these powers of control shall be. I am not in favour of electing any special Licensing Board. I have had some experience during a not short life of local management in the town which I represent and the districts around it. I have seen the growth of municipal institutions in that neighbourhood. I can remember when the Town Councils of this country had functions of a moderate and limited description, and I can remember the processes by which this House has gradually laid upon these Town Councils additional and extensive powers for dealing with the large questions of public health. In that, as in other matters, the Town Councils have risen to the height of the responsibility that was attached to them, and so far from having depreciated, the Town Councils and other Public Authorities have been able to fulfil the functions bestowed upon them by this House, with great success. Therefore, I have come to the deliberate conclusion that it would be no disadvantage, but a distinct advantage, yet further to enlarge the powers of the Town Councils and County Councils. In what direction could they be more worthily extended? Where is there in the whole range of public thought any question that more nearly touches the interest of the people than the licensing question? My right hon. Friend the Member for Newcastle may desire that a special authority should be appointed for the purpose. Others of us may hold that the present elective authority would be a most efficient machine for carrying out the object we have in view. Let us talk about that; let us differ about it. Suppose we are divided on that point, does that affect the question before the House by my hon. Friend. He alleges that the Local Authorities should be entrusted with further powers of control over the issue of licences. I will not quarrel with him; as a matter of fact, I do not know what his precise opinion may be, but I will only assert against the contention of my hon. Friend opposite this view, that whatever the Local Authority to which this great power must be entrusted may be, it shall be an authority deriving its power directly from the people by election, subject to rejection if it goes wrong, and to be supported if it goes right. In that view I shall be prepared to vote for my hon. Friend. When my hon. Friend talks about further powers of control over the issue of licences I should like to take the opportunity to record my opinion of what that control should be. I believe there can be no effectual settlement of the licensing question except in one direction. I have come to the deliberate conclusion that there will be no effectual settlement until Local Authorities have the power conferred upon them by the Statute to exact an enhanced value for licences, and this I say, having examined the condition of things in America under direct veto, under the Maine Law, and under total prohibition. The licences should only be granted upon such terms as would be practically prohibitive.

*(11.17.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I listened with pleasure and satisfaction to the conclusion of the speech of the right hon. Gentleman the Member for Newcastle, in which he spoke of the

growing feeling in favour of temperance and temperance reform among the working classes. I think he was quite justified in what he said with regard to this. There is that strong feeling among the working classes and it is a matter upon which we may congratulate ourselves. The right hon. Gentleman went on to say that, looking to this growing feeling among the working classes, it was unjust that they should continue to be burdened with an undue number of public houses against their will. I cannot, of course, but acknowledge, as I have acknowledged before, that there is a very considerable excess of public houses over the number required by the public demand. I have again and again stated that as being my conviction, and I have in my mind many cases of localities in which the number of public houses is not only excessive, but grossly excessive. I have always contended that when this question is dealt with, proper and adequate means of reducing this superfluity of public houses ought to be provided. But I cannot shut my eyes to the fact that it is very largely—I do not say it in any spirit of reproach—that it is very largely owing to the action of the temperance party that this great superfluity of public houses exists. We could not have a better proof of this fact than was afforded in the opening remarks of the hon. Member who brought forward this Motion in a speech, I think, of great moderation. The hon. Member says that there exist now 128,508 public houses, but that if Mr. Bruce's proposal had been accepted the number would have been reduced to 37,000. That, in itself, is a sufficient illustration of the danger to temperance that has been caused by the extreme views taken by the Temperance Party. But we also have had our experience in the matter, for we have attempted to do something in the interests of temperance. Our proposals did not commend themselves to hon. Members opposite or to many Temperance Reformers, but in 1888 we made proposals which, if accepted, would, in our opinion, have very considerably reduced the number of public houses. It is perfectly true that with our proposals we embodied the principle of compensation, but in my opinion the money which would have been derived from drink could not have been better expended than it would have been if the House had assented to our plan. Unfortunately we were unable to enlist the sympathies of the Temperance Party, and our proposals fell to the ground. Undoubtedly, however, if our proposals had been accepted, a beginning would at once have been made in the work of reducing public houses, and all new licences would have been stopped. That, in itself, would have enormously diminished the number in proportion——

Sir W. LAWSON: The Government voted against that.

*Mr. RITCHIE: What the hon. Baronet and his friends desired us to do, was to take an isolated proposal from our plan as a whole. We put our proposals forward in a comprehensive shape and were not disposed to adopt the suggestion. By our proposal in 1888 a Revenue derived exclusively from increased licences would have been raised, and by its application the number of public houses would have been largely diminished. It has been said that our proposals in 1888 were made under a misapprehension, and that the decision in "Sharp *v.* Wakefield" has greatly altered the position which we assumed existed in 1888. I do not desire to hide from the House that when our proposals were made we were of opinion that there was a very much greater vested interest in licences than there appears to be; and I acknowledge that as far as that portion of our position was concerned we were not fully informed of what has now been established as the law on this subject. But I should like to recall to the House that whatever were the powers of Justices at that time, we expressly reserved them in the Bill of 1888. Whilst giving to a newly constituted body the power of refusing licences, we expressly reserved to the Justices their power of refusal without compensation. Whilst we acknowledge that the decision in "Sharp *v.* Wakefield" does establish the fact that Justices have a very wide discretion with respect to the renewal of licences, I think that no one who reads that decision can fail to remark that it is limited by the condition that the question must be treated judicially by a Judicial Body. I think, therefore, that we ought to consider that the publicans who would have had to get their licences from the non-judicial Local Bodies which we proposed to constitute might have had claims to compensation which they may not have under a system that gives the control over licences to a Judicial Body like the Justices. Again, in 1890 we made proposals which were in the main accepted by a very large body of the Temperance Party in this country. They were accepted, subject to certain modifications which we were prepared to adopt, by that very large, influential, and important body called the Church of England Temperance Society. [*Ironical Opposition cheers and laughter.*] I do not know why the name of the Church of England Temperance Society should be received with laughter and derision by hon. Members opposite. I do not think that even the extreme local optionist party will deny that that society has done good, useful, and even noble work with regard to temperance. I say that our proposals were proposals which met in the main with the approval of the great body known as the Church of England Temperance Society. So much, then, for the question of "Sharp *v.* Wakefield" and the alteration in the position which is brought about by that decision. With regard to the proposal of the hon. Member opposite, of course he knows quite well that our previous action is of such a nature as will entitle him to receive from us our approval of his propositions—first, that there is a superfluity of licensed houses; and, secondly, that when this question comes up to be dealt with it ought to be dealt with by a transfer of the licensing power from the existing authority to a Local Authority. So far, then, we agree with the hon. Member; but when we come to consider the question of what that Local Authority ought to be, we find that there is a divergence of opinion in the minds of the Temperance Party themselves. There is a great disagreement among them. The hon. Gentleman who brought forward the Motion expressed himself as in the main indifferent as to how that Local Body should be constituted.

*MR. J. E. ELLIS: I said that it was less important in comparison with the granting further powers of control.

*MR. RITCHIE: The hon. Member's argument seemed to be in favour of giving over this control to an existing Local Authority. There is no indication in the Motion of the hon. Gentleman that he contemplates for a moment setting up a Local Authority *ad hoc*. His proposition, read by an ordinary individual, would seem to imply that it is to be the usual authority in a borough and the County Council in the counties. The hon. Member has modified the words of his Motion by his speech. Undoubtedly a section of the Temperance Party has expressed its opinion in very forcible terms, and appealed to all the Temperance Party to alter the Motion.

*MR. J. E. ELLIS: I am sorry to interrupt the right hon. Gentleman again. As a matter of fact, I explained to Mr. Caine, who, I may say, quite approves of this Resolution, some time ago exactly what I should say as to the three courses being open, and that I did not bind myself to any form of Local Authority. My reading of the Resolution has not been in any way varied by any action taken by the Temperance Societies.

*MR. RITCHIE: The hon. Gentleman says now that long ago he conveyed to Mr. Caine, who is one of the representative men in connection with the temperance question, that he did not bind himself to any particular form of Local Authority. But, notwithstanding that, I received two or three days ago a strongly worded circular from one of the Temperance Societies, asking me to come here and oppose this Motion.

*MR. J. E. ELLIS: Will the right hon. Gentleman say what society it was?

MR. RITCHIE: I think it was the Good Templars, but I am not sure; but I do not wish to press that point. I am quite content with what the hon. Gentleman says. The hon. Gentleman says he is not very particular what authority it is so long as it is a Local Authority. But the right hon. Gentleman the Member for Newcastle (Mr. J. Morley), deprecating this matter being referred to an ordinarily constituted Local Authority, goes in strongly for a Local Authority *ad hoc*, I think together with a *plébiscite.* I wonder what the right hon. Gentleman the Member for Derby thinks on the matter. The right hon. Gentleman the Member for Derby took at one time, and, indeed, has always taken, a great interest in this matter; and I should like to learn from the right hon. Gentleman whether he approves what the right hon. Gentleman the Member for Newcastle said to-night as to an authority *ad hoc* or a *plebiscite,* because I remember in that Debate which took place on the Motion of the hon. Member for Cockermouth some years ago he expressed an opinion entirely adverse to both an authority *ad hoc* and a *plébiscite.* And so it was also with reference to the right hon. Gentleman the Member for Mid Lothian, who, in the strongest possible terms, declined to accept any authority *ad hoc* or a *plébiscite.* What are we to do with regard to a matter of this kind when we find hon. Gentlemen all at sixes and sevens amongst themselves? A great deal has often been said with regard to the inconvenience, to say the least of it, of abstract Resolutions; but I think that if ever there was a question on which it was unwise to ask the House to commit itself by an abstract Resolution it is a matter of this kind on which there is such enormous divergence of opinion among those who support it. The right hon. Gentleman the Member for Mid Lothian, in the very Debate to which I have just alluded, expressed an opinion strongly adverse to abstract Resolutions as a whole, and said that there was still stronger objection to an abstract Resolution on this particular question, about which there was such enormous divergence of opinion and such an amount of complication. I have endeavoured to show that, although undoubtedly it is desirable, in our opinion, that a Local Authority should have these powers, the opinion held by the Temperance Reformers is of such a character as not to tempt us to embark lightly upon such a difficult and delicate task as that of putting proposals with regard to this question before the House. One word on the question of compensation. I have alluded to the decision in "Sharp *v.* Wakefield." I acknowledge the full force of it; but I have asked the House to consider whether, assuming it to be the law of the land, it is right and proper that such a great change as the hon. Gentleman asks us to make—that of changing the licensing power from a judicial to a locally-elected Body—should be made without some consideration for those who have built up a great business and embarked an enormous capital under what they thought to be the protection of the law. Whatever may be the legal position of this matter, I am certain of this: that that public sense of equity, which I believe exists throughout the length and breadth of the land, would revolt at any idea of a general suppression of these houses, upon which an enormous amount of capital has been embarked, without the smallest consideration for those who have been carrying on a legitimate business in an orderly way, and supplying a great public want, believing they were doing so under the protection of the law. I may say to those gentlemen who support the cause of temperance that they could not be doing a greater injustice to their own cause, they could not be inflicting a greater blow upon the cause they are advocating than by attempting the suppression of public houses without considering the equitable claims which those who have embarked upon this trade have upon the public if they are suppressed. For our part we take our stand upon the proposition that this reform cannot be carried out without considering the equitable and proper claims of those who are carrying on the trade; and that being our view, though acknowledging the main proposition in the Resolution of the hon. Gentleman opposite, we cannot assent to it without also adding to it the words which have been moved by my hon. Friend.

(11.41.) SIR W. LAWSON: It is rather a hard task for me to speak on this question, for everybody has been making my speech. But I should not like the Debate to close without saying with how much pleasure I heard the speech of the right hon. Gentleman the Member for Newcastle. There was very little, if anything, in all he said with which the most earnest temperance reformer could not agree in all its details. I am very glad the hon. Gentleman opposite moved his Amendment, because it has brought forth the speech we have just listened to from the right hon. Gentleman. It has induced him to nail his colours to the mast. We now know that compensation is still the policy of the Party opposite. I am delighted at that. Let them go to the country on compensation, and we will beat them again upon that question as we have beaten them before. But what does compensation mean? The hon. Member opposite speaks of equitable compensation. Well, I will vote for the Amendment of the hon. Gentleman opposite if he will state satis factorily what equitable means. Equity means doing justice to all parties. Let, then, the hon. Gentleman do justice to the people whom the publicans have injured. If the compensation is to be applied all round, if those who have suffered by the erection of public houses near their property, and if the ratepayers who have had to pay heavier taxes in consequence of the drink traffic, are to be compensated, then I say I will vote for the Amendment. But the hon. Gentleman makes no sign, and therefore I shall vote against his Amendment. As to the Motion of my hon. Friend, I think it has been somewhat misrepresented. It has been attacked by certain Temperance Bodies, with the best intention no doubt. Those bodies seem to think that the Motion excludes the direct veto; but those who heard the speech of my hon. Friend will see that what he wants to do is to quicken the Llicensing Authorities, and make them more effective. He is perfectly willing that the direct veto shall be incorporated. On the ground that there are too many drink shops, and that it is desirable to get rid of them, I shall certainly vote for the Motion of my hon. Friend.

(11.45.) MR. A. R. D. ELLIOT (Roxburgh): I think the general principle of conferring upon the Local Authorities some of that jurisdiction which is now exercised under the general law of the land by the Magistrates has been affirmed over and over again, and that being so, I do not see why the Motion on the Paper should not be accepted by the House. Unfortunately, as I think, an Amendment has been put on the Paper which introduces very great difficulty into the discussion. It is difficult to know what will be the use made of the decision to which the House will come. We cannot disregard the state of things that has come into existence since the recent decision of the House of Lords. The House of Lords has declared, as regards full licences, that the publican has no legal right whatever to anything beyond his yearly interest under his licence, and now the House is asked to affirm as a general principle that the reduction of licences should be accomplished by some sort of system of compensation. I have always held it would be a great misfortune if the House of Commons or Parliament were to lay down a principle of general compensation. I fully admit that circumstances may arise, and do arise, in individual cases when it would be inequitable not to consider the claims of owner or publican. But that is very different to laying down a broad and general system of compensation. Yet if we carry this Amendment we shall be laying down that principle. I am one of those who cordially supported last year the proposals of the Chancellor of the Exchequer, because I thought them perfectly sound and fair. Those proposals were not for compensation. It was merely a scheme for buying up public houses with a view to their suppression. As we know, these houses are continually being sold in the market. But the proposal of this Amendment is totally different. It proposes to declare that the licence, which the highest Court of Law has declared to be only a yearly interest, should be taken to include something more. Its adoption would prove that the opinion of the House of Commons is contrary to the law as recently laid down. I know that this is a ticklish question, and that the constituencies are very much interested in the decision at which we may arrive, but I say we should be tying our hands by carrying such an Amendment as this. I think the House of Commons will be entering on a retrograde path if they accept the Amendment, and I shall therefore vote against it.

(11.51.) MR. DE LISLE (Leicestershire, Mid): I am one of the supporters of the Government who was, unfortunately, last year unable to support their compensation proposals. To-day I cannot support either the Motion or the Amendment. I thank the right hon. Gentleman the President of the Local Government Board for his able defence of the vote I gave last year. The proposals of the Government last year were made under a misapprehension of the law. I think the sense of the country is better expressed in these words—"That this House is of opinion that a large reduction in the number of those who drink intoxicating liquors to excess is desirable, and that drunkards should be intrusted with further powers of self-control over their unruly appetites, both in respect of the days and hours when public houses are open and when they are closed." As I believe that the present proposal to transfer the control over the liquor traffic from the House of Commons to Local Authorities is a dangerous one, I cannot support the Motion. I should be very loth to see the temperance question transferred either to the County Councils or to the District Councils which are to be established. The principle of local option is most dangerous, and therefore I am unable to support either the original Motion or the Amendment. I may be allowed to point out that in the proposals made by the Government last year there was no guarantee to the public that they would get anything for their money. When the Slave Trade was abolished the return obtained for the compensation was the release of the slaves; but here we have no guarantee that the liquor traffic will be diminished; it is only a scheme to reduce the channels through which the liquor is distributed. I hope, therefore, that both proposals before the House will be negatived by a large majority.

(11.55.) The House divided:—Ayes 190; Noes 129.—(Div. List, No. 157.)

Main Question, as amended, proposed.

Debate arising.

It being after Midnight, Mr. Speaker proceeded to interrupt the Business.

Whereupon Mr. DE LISLE rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The House divided:—Ayes 192; Noes 120.—(Div. List, No. 158.)

Main Question, as amended, put accordingly.

The House divided:—Ayes 182; Noes 111.—(Div. List, No. 159.)

Resolved, That this House is of opinion that, provided equitable compensation be given, a large reduction in the number of houses in England licensed for the sale of Intoxicating Liquors is desirable, and that local authorities should be entrusted with further powers of control over the issue of such Licences, and with respect to the days and hours during which the licensed houses should be open.

MIDWIVES' REGISTRATION BILL.

(No. 133.)

Order for Second Reading read, and discharged.

Bill withdrawn.

House adjourned at twenty minutes before One o'clock.

HOUSE OF COMMONS,

Wednesday, 29th April, 1891.

EXPERIMENTS ON LIVING ANIMALS.

Address for—

"Return showing the number of experiments performed on Living Animals during the year 1890, under Licences granted under the Act, 39 and 40 Vic. c. 77; distinguishing Painless from Painful Experiments (in continuation of Parliamentary Paper, No. 150, of Session 1890."—(*Mr. Stuart Wortley.*)

LEASEHOLDERS ENFRANCHISEMENT BILL.—(No. 11.)

SECOND READING.

Order for Second Reading read.

*(12.55.) Mr. J. ROWLANDS (Finsbury, E.): This is the third occasion on which the House has been asked to consider this question. In 1884, for the first time, a Bill of this description was introduced by my hon. Friend the Member for West Nottingham (Mr. Broadhurst), and in 1889 a second Bill was introduced by my hon. Friend the Member for West St. Pancras (Mr. Lawson). Between those periods a great deal has taken place in regard to the question of town lands. It has been usual in this House to have a great many discussions on the land question in relation to agriculture, but hitherto scarcely any time whatever has been absorbed on the question of the tenure of town lands. I have not the slightest doubt, however, that in the course of a few years the House will have to devote considerable attention to the subject. Since the question was first mooted, seven years ago, a large amount of official information has been given which did not exist at the time the hon. Member for West Nottingham was induced to bring the question forward. We have had a Royal Commission upon the Housing of the Working Classes, and it is well-known that a majority of that Commission expressed their views very decidedly upon the question of leasehold enfranchisement. I know it is said that the question did not come within the purview of that Commission; but I take it that as the Commission was appointed by Her Majesty to consider the whole question of the housing of the working classes, it was quite within the scope of the inquiry for the Commissioners to investigate anything regarding the tenure of town lands which they thought might have a bearing upon the better housing of the people. It may be said, further, that although a majority of the Commission were in favour of giving leasehold enfranchisement, there were several important members of the Commission who did not sign the Supplementary Report. The Chairman, however, did sign the Report, and although there were several other Supplementary Reports, to neither of them did the Chairman—Sir Charles Dilke—attach his name. His views on the question are well-known, and, as far as I can ascertain, there has been only one distinct opinion expressed against the Report of the majority, namely, by the present head of the Government — the Marquess of Salisbury. Not only have we now before us the official information obtained by the Commission, but in 1884 we had an important series of Returns called for by the late Earl Granville from our Representatives in foreign countries. The importance of these Returns cannot be over-estimated. It was thought desirable to ascertain the custom in every European country, and with that object Lord Granville sent a series of questions to our Representatives. The most astounding thing is that the answers show that in no European country is there to be found the same system which exists here, namely, that people are induced to build houses on an insecure tenure. Mr. Thornton, reporting upon the custom in Switzerland, said that absolute ownership was the only condition known to the Swiss, and that they knew nothing of the conditions which exist in this country, such as copyhold, leasehold, and so forth. It will, therefore, be seen that we are dealing with a system of tenure peculiar to this country which does not apply to any other part of Europe, and a system, further, which does not prevail in the whole of the United King-

dom. When the question was last before the House the Town Holdings Committee had produced three substantial volumes of evidence, but had not presented their Report. Since then they have reported, and an instructive part of their Report is the information they have collected as to existing tenures in England, Ireland, Scotland, and Wales. It is a curious thing that the terminable leasehold system—the short leaseholds of 99 years as distinguished from those of 999 years—does not exist in a very considerable portion of the United Kingdom. In Lancashire there is a perpetual system of tenure; in Scotland, we have feu-farm rents and perpetual tenure; in the North of England, in such places as Leeds, we have the freehold system, and the short tenures which are common in the South of England, in parts of the West, and in Wales, are unknown. The tenures in Cornwall will be dealt with by my hon. Friend the Member for St. Austell (Mr. W. A. M'Arthur), who will, I believe, give some most important information. We have made considerable progress since the question was last before the House in 1889, and the Report of the Town Holdings Committee puts an entirely new face upon the matter. The great amount of interest which the question entails is to be seen in the Petitions which have been presented to the House by Corporate Bodies. During the present Session more than one Corporate Body has petitioned in favour of this Bill. Upon the last occasion that the question was discussed there was a Petition from the Carnarvon County Council; there has since been one from the County of Anglesea and several others to the same effect, all in favour of the Bill, as well as a Petition from the London County Council. The contention is that the present system is detrimental to the welfare of the community, and demands amendment. It is said that we are interfering with the rights of the landlord; but the noble Lord the Member for South Paddington (Lord R. Churchill), writing a few years ago to one of his constituents, declared that

> "He would never be a party to wrong and injustice, that the good of the State stands far above freedom of contract, and that when the two forces clash the latter will have to give way."

The evidence given before the Town Holdings Committee proves that the leasehold system tends to bad building, and that, worse than all, towards the end of a lease it operates in inducing tenants to allow dwellings, which are largely inhabited by the working classes, to become dilapidated. When a man gets within the last 20 years of his lease he will decline to make any great structural alterations if he can possibly avoid it, because he knows very well that he cannot possibly get back the money he may expend. I know it is said that we have good ground landlords who will look after the interests of the tenants, and that they will see that all the covenants of the lease are fulfilled. No doubt they do, but it is only when the property is about to pass into their hands, and not before. As to the question of freedom of contract, if we can make out a case that an alteration of the law is justifiable, I maintain that Parliament should do what it has done in other cases and break contracts, if the breaking of contracts is necessary, to bring about a better state of things. The time has gone by when we can put a thing upon a pedestal and never interfere with it, even when it is found to be opposed to the general good of the community; and in this case I hope, before I sit down, to show that the system we are anxious to remedy does come into collision with the good of the community, and it is for that reason that I ask the House to give a Second Reading to this Bill.

Mr. WEBSTER (St. Pancras, E.): I rise, Sir, to call your attention to the fact that there are not 40 Members present.

Mr. SPEAKER: I have very recently satisfied the House that there were 40 Members present.

*Mr. J. ROWLANDS: I have referred to the Town Holdings Committee and to the evidence taken before it, and I think I ought not to omit this opportunity of drawing attention to the classes of witnesses who were examined by that Committee, and the nature of the evidence they gave. There were witnesses representing every class of society who advocated the change proposed by this

Bill. We had before us practical builders, and working men who, by their own thrift, had become possessed of their own houses, all in favour of our remedy. What had we on the other side? We had a number of professional gentlemen, all of whom were more or less interested in one or the other of the big estates throughout the country — gentlemen acting and speaking as agents for these properties. Having listened to their evidence as tendered to us through a series of years, and having been on that Committee since 1887, I do not think that those agents are the best witnesses for the interests of their employers. They look at things pretty much as they affect their own interests, and seem to be much more concerned with those interests than with the interests of those they are supposed to serve. It was curious to notice the way in which some of the witnesses who were called to condemn the proposed change in the law bore testimony to the fact that, after all, it was essential that some change should be made. Among the witnesses examined by the Committee was Mr. Statter, agent to Lord Derby, who gave evidence in April, 1888. Mr. Statter had had practical experience as to the system which is in existence in Lancashire, and no one who heard him would be inclined to gainsay the statement that he was a man well qualified to put before the Committee a large amount of useful information as to the state of things in that county. He condemned some of the properties built on leases of 99 years; and he pointed out that, in considering the case of very old properties, we had to take into account whether they were built before the modern Acts came into existence, and, consequently, were not in accordance with their provisions. Mr. Statter also gave us some illustrations as to what was being done on Lord Derby's estate at Bury, where fine wide streets were being made, and he described the class of property that was being put up there. We asked him on what terms the building sites were being granted on Lord Derby's property, and here I ought to say that Mr. Statter was supposed to have come before us to prove that the short leasehold system was a good one. Well, he told us that in the new portion of Bury Lord Derby was not granting 99 years' leases, but was in the habit of renewing the 99 years' leases for 999 years. I suppose, Sir, that no one can have any objection to such a tenure as that, although there are some people who think it would be better to enable the lessees to buy out the rent-charge. Nevertheless, if you give a tenure of 999 years, anyone who holds property on such terms might well be called upon to keep that property in a good and sanitary condition, so as to render it at all times fit for the occupancy of those who have to reside on it. But, it may be asked, for what reason was this 999 years' system being established in Bury? Why, Sir, there is a good bit of freehold land to be got in that neighbourhood, so that Bury is one of the few places in existence where competition in land comes thoroughly into play, and consequently the ground landlord of the property I have referred to has had to do the same as the other ground landlords in the districts. But, on the other hand, the Committee have had before them cases in which the element of competition has not come into play. Let me take the case of Pembroke Dock, where by far the largest amount of the landed property is held by one owner. We all know that workmen must live within a reasonable distance of their work; and in the case of Pembroke, we do not find the essential elements of competition and fair play, so that the entire argument as to freedom of contract which is put forward by some hon. Members falls to the ground, because it is manifestly impossible that there can be any such thing as freedom of contract when one person holds all the land which the others are bound to purchase. I might also take the case of the Festiniog Slate Quarries where, as in the case of Pembroke, the work is centred in one spot, and the workmen have to live near it. You may tell them to go somewhere else and get better terms; but it is evident that both in the case of the Festiniog Quarries and the Pembroke Dock the workpeople must have their homes within a reasonable distance of their work, and it is places like these that freedom of contract cannot exist, unless you can establish perpetuity of tenure. I will give you an illustration of the way in which people suffer under the existing system in places like these. I do not propose to inflict on the House a long list of cases of hardship such as I might easily adduce from the evidence taken by the Town Holdings Committee. I will, however, give you the case that was put before us by a working man who came from Pembroke Dock (Mr. James Davies), a retired Inspector of Shipwrights. I may preface what he said by stating that in 1884 I was at the Pembroke Dock, and then saw the house which Mr. Davies had built; and I can only add that I wish there were more working men throughout the country able to provide such homes for themselves, and possessing the same ability as artisans for making their houses comfortable as he did during his spare hours in the evening. He was asked—

> "Can you give us some cases to the point?"

He replied—

> "A grocer purchased with 40 years of the lease expired, and laid out £360 to improve the place. He then applied for an extension of the lease. Twenty years more were granted, making 40 altogether, but increasing his ground rent from £1 to £5 per annum."

He was then asked—

> "Do I infer that a certain number of years was surrendered or given up in that case?"

He replied—

> "Forty years was expired out of 60, leaving 20, and 20 more were added to that, making 40."

He then gave another case, which was this—

> "Two young men (brothers) purchased a small house in the centre of the town last year with 14 years unexpired, 18ft. frontage, 18s. ground rent, cost about £100 to build, but laid out upon it last autumn £160 to make it suitable for their business. They then applied to the landlord for a 60 years' lease, and were informed that they could have a new lease for the time required by giving up the old one, and by so doing reducing the new one to 46 years. And this they should have for £20 per annum. This offer they refused."

I think these two illustrations are quite sufficient to point out the evils of the present system. In Worcestershire and elsewhere you may get other phases of these evils. In Cornwall you have the life lease system in operation, and under it large sums must be spent by those who hold leasehold property, especially for business purposes. In Great Malvern we have the cases of two gentlemen,

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both of whom are tradesmen. The case of Mr. James Nott, a grocer at Malvern, thus—

> "In 1862 he bought the property for £1,500, there being only two advanced lives on it. After negotiation he got a third life put in, on payment of £450 and about £50 expenses. One of the old lives died shortly after. Witness made considerable improvements, costing £430, as the property was greatly dilapidated, and in 1871 he got another life put in, at a cost of £630. Since then witness had spent £570 more. Not long ago he sold half the property to his next door neighbour, who has rebuilt at a cost of £2,200."

Witness said—

> "I complain of this: I have now only two lives of 40 and 30 respectively; and if these two lives died, as they might die within a very little period, the ground landlord would take the whole of my improvements; every shilling will go at once into the ground landlord's hands, and I could not get the slightest compensation whatever."

The witness also said he knew he had the power to insure the two lives, but that was a severe tax, and would continue to be so to the end of the chapter. I might make similar quotations in regard to the cases of working men, where, although the figures would not be quite so high, they would be proportionately heavy, and would show in the same way how injuriously the system works among that class. One of the pet arguments used against this measure is that, although we desire to benefit the working class, that class would reap no benefit from this Bill. I unhesitatingly assert for myself and my colleagues on these Benches that we should not make another step in furtherance of this measure if we were not fully convinced that the working classes will be benefitted by it. At any rate, there is no other interest that I care for besides that of the working class, and it is because I believe this measure will be of real benefit to them that I have spent so much time in advocating the change proposed by this Bill. I will not weary the House by detailing the circumstances under which the different Friendly Societies have arranged for the purchase of houses by their members. I will, however, give the House one example of what has been done in this way. There were before the Town Holdings Committee two Past Grand Masters of the Manchester Unity of Oddfellows, and what did we hear from them? We were informed that not only the Oddfellows, but the Foresters and other societies had latterly taken to the practice of advancing money to their members for the purchase of houses, because they found they could get a better interest for the outlay than by other modes of investment, while carrying out at the same time a co-operative movement of a useful and beneficial character. Of course, it is to the interest of these societies to let their money out on good security of this description, while the members obtaining the advances are able to do so at a lower rate of interest than if they borrowed money elsewhere. It is a remarkable fact that the Oddfellows alone have laid out nearly £2,000,000 in this way by means of advances to members varying from £200 to £400. I myself am a member of a lodge of Oddfellows in London, which has lent out to members, in sums up to £500, a large amount of money—so large that the outstanding balance a quarter or so back amounted to £7,000. That is a lodge which is held in the North of London, at Islington. When, therefore, hon. Members assert, as some of them do, that the thrifty portion of the working classes take no interest in this question, I ask them to consider these facts. For my part, I have yet to find out that thrift on the part of the working classes is a crime. I cannot but admire the exercise of thrift on the part of the working man, and I know of no better mode of investment on the part of such a man than the purchase of a house as a home for himself and family. You may, perhaps, demonstrate that he might get ¼ per cent. more interest from some other investment; but I assert that as a means of benefitting himself and children, no working man can do better than invest his savings in a dwelling house—an acquisition which tends to raise him in the social scale, making him to all intents and purposes a better citizen and a better member of society. If hon. Members say that the working men prefer freeholds to leaseholds let me refer them to the evidence given by Mr. Wallis, the Duke of Devonshire's agent at Eastbourne. Mr. Wallis has the carrying out of the system of enfranchisement on the Duke of Devonshire's Eastbourne estate, where—

> "Whoever takes a plot of land on this estate covenants to spend a certain amount on the erection of houses, and the Duke, on his part, covenants to sell the freehold at any time within 10 years of the date of the agreement."

Mr. Wallis stated before the Committee that—

> "Up to the present time land has been let on the estate for the erection of 2,034 houses. Of these, 64 per cent., that is 1,406, have been already redeemed; 22 per cent., that is 530, are still within the 10 years' option; 14 per cent., that is 362 houses, remain leasehold. Thus, leaving out the houses still within the 10 years' option, about four-fifths have already become freehold."

Mr. Wallis was asked whether he did not often grant single plots of land to artisans for building purposes, and he replied—

> "Oh dear, yes! an artisan might come to my office to-morrow and say, 'Mr. Wallis, I want a plot of land 15 feet wide and 90 feet deep,' and I would let him have it at once, and he, being a carpenter perhaps, would give all his spare time probably to making the doors and sashes, and in a few months be the owner of a nice little house; and not only can they do so, but they have done so hundreds and hundreds of times over.'

If I seem to dwell on this point about the working man, it is because it has been urged against me that I have thought only of benefitting the middle, and not the working, class. I will not trouble the House with the provisions of the Bill; they are virtually the same as were contained in the measure brought forward by the hon. Member for West St. Pancras (Mr. H. Lawson), and provide compulsory powers of purchase, while the machinery is that of the County Court. We are not, however, wedded to the County Court if a better machinery can be pointed out. Our only object is, supposing the Legislature in its wisdom should pass the Bill, to obtain a simple and easy machinery which shall not be too cumbrous or expensive. There is still, of course, the alternative propositions of a perpetual rent-charge to the system of buying out. It is said in one of the Amendments that there ought to be some Local Authority for carrying out this scheme. I claim for this measure that by the 14th clause we propose for the first time that Public Authorities should be invested with powers such as do not exist at the present moment for controlling the amenities of the neighbourhood. The Bill is met by a somewhat wide series of Amendments. The first two Amendments which stand in the names of the hon. and learned Gentleman the Member for Harrow (Mr. Ambrose) and the hon. and learned Member for East St. Pancras (Mr. Webster) are simply direct negatives. They will have none of this Bill. They believe that "everything is for the best in the best of all possible worlds," and that we who wish to alter the law are interfering with a benign system which now exists in our Constitution, and are a set of meddlers who ought to be swept out of existence. But I should like to hear the hon. and learned Gentleman the Member for Harrow explain the position he now takes up, because as he is in favour of the tenants of Ireland becoming possessed of their holdings, even on the security of the public taxation, it is difficult to understand why it is that he does not think what is good for Ireland might also be good for the people of England. Then there is the Amendment of the hon. and learned Member for Haddington. He finds fault with some points of the Bill, and because he does not agree with the whole of it, he says, "It is inexpedient to pass a Bill which professes to enfranchise leasehold holdings." It certainly strikes me as peculiar that the hon. and learned Member for Haddington should wish to deny to the people of London, and the South of England, and Wales, that fixity of tenure which is enjoyed by the people of Scotland, where the feu farm system, which is a system of perpetual tenure such as we should like to have in this country, has long prevailed. The hon. and learned Gentleman's Amendment goes on to say—

> "Without providing powers for the regulation and control of such holdings in the interest of the community, and the acquisition in that interest of such increment in the value of such holdings as may hereafter take place by reason of public necessities and other causes independent of improvements by the owners."

This Bill is decidedly one dealing with tenure. Clause 14 is the first attempt that I know of to give the

Local Authorities some power over the holdings. We have, however, no objection to the community undertaking some responsibility such as is suggested, and for myself I should not take second place under the hon. and learned Member in my anxiety as to the acquisition of the unearned increment of the property. If the hon. and learned Member will favour us with his plan, I shall be glad to give it my careful consideration. Does the hon. and learned Member for Haddington suppose that we who think we have so good a case for immediate reform should stand still and wait for some other reform which may, or may not, be brought about in the distant future? It would be just as absurd to take such a position as it would have been to have declined to enter on the question of the grievances recently brought before us with regard to the deer forests of Scotland, because of the need of some alteration in relation to the laws of property in that country, which may or may not be made in years to come. I repeat, that we ought not to deny to the thrifty workmen of England the remedy for an undoubted evil, because there are other questions on which it is proposed to alter the laws of property. The last Amendment which stands on the Orders of the Day is one I am willing to welcome, although it does not go so far as the supporters of this Bill might wish. That Amendment stands in the name of the hon. Member for North Bristol (Mr. Lewis Fry), and I am sure that every Member of the Town Holdings Committee have all admired the patience, the ability, and the business capacity with which the hon. Gentleman presided over the deliberations of that body for so long a period. I accept his Amendment, as indicating that some change is necessary in regard to this question. In conclusion, I desire to draw the attention of the House to the Report presented by that Committee. The Committee say, in the paragraph which deals with benefit to the working classes—

> "As regards those of the working classes who are occupying leaseholds, we are disposed to think that encouragement would be given to habits of thrift and providence and the interests of a very deserving class be promoted if such persons were able, where they desire it, to purchase the freehold of their houses."

I admit that hon. Members might quote other paragraphs in the Report against me, and here I should tell the House that this Report is one which was fought over and contested to a much greater extent than is usually the case with the Reports of our Committees. We had no fewer than 169 Divisions during the consideration of that Report, and some of the paragraphs were either retained or struck out by very small majorities on either side. On page 37 the Report says—

> "We are, however, of opinion that the conversion of leaseholds into freeholds would often promote improvements and encourage the development of trades and businesses by giving lessees the opportunity of securing the full benefit of their outlay in improvements and the full value of any goodwill they may have created. It would also get rid of some minor incidents of leasehold tenure which are felt to be of an irritating character, and would tend to remove the feeling of grievance among lessees which, to whatever extent it may be well founded or not, exists among them."

I think that after the experience of the Duke of Devonshire's agent probably a greater number of the working classes will be prepared to avail themselves of the advantages which this Bill proposes to confer than might otherwise have been expected. No doubt the spread of education and enlightenment will have that effect. The Committee has advised that, under certain circumstances, the Local Authority should have the power to facilitate the enfranchisement of areas in their particular locality. The Committee also make other important recommendations in regard to educational places, co-operative stores, tenants for life, and others—all of a most interesting character—but I need not dwell on them now. I admit that the majority of the Committee do not endorse my opinions. But the one object I have in trying to bring about this system is to give all possible facilities to every man who desires to obtain the freehold of his dwelling. I beg to move the Second Reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. J. Rowlands.*)

*(1.47.) MR. W. A. McARTHUR (Cornwall, Mid, St. Austell): I rise to second the Motion. I do not think it will be necessary for me to trouble the House at any very great length. My only excuse for intervening in the interminable Debates we have had on the question of English land is the very keen interest that is felt all through the West of England, and more particularly in my own constituency, on the question of leaseholds. There is no part in England in which the oppression of the law on this subject is felt more bitterly than in Cornwall and certain parts of Devonshire. The difficulty under which we labour in those districts is not that land cannot be obtained at all; for, of course, it would be idle to attempt to argue that if working men wanted land they could not get it at all—but that the conditions upon which a working man in Cornwall can get land to build a house on for himself are so onerous and the charges so excessive as to make it practically impossible for a man in that condition of life to erect for himself a house with any hope of being able, during the currency of the lease, to get any reasonable return for his money and his labour. Of course, we shall be met with the old argument that Parliament ought not to interfere between a landowner and the man who seeks to become his tenant. My hon. Friend has dealt with the question of freedom of contract; and I need only add that the complaint of interference between landlord and tenant is a very old bogie, which I hope will not frighten the House. Why should not the State interfere? The State has had repeatedly to interfere between the owners of monopolies and those who sought to use such monopolies where interference was necessary for the public safety and health. In Cornwall we have a state of things in which it is necessary to interfere. The present monopoly is conducive to neither public health nor safety, and interference is necessary for the very existence of the people. Men must live somewhere, and unless, as Mr. Broadhurst has said, they can live in a balloon or on a boat, they must reside on the land; and if you have a state of affairs in which land is let only on conditions which make it practically impossible for a working man to get hold of it, and if the State refuses to interfere, it perpetuates a

system for crushing out local industry and preventing a large and industrious population from settling on the land. I say that because land is a monopoly we are entitled to ask that it should receive exceptional treatment at the hands of this House. The House has never hesitated to interfere when it could be shown that a private monopoly is opposed to the public interest. And in asking the House so to interfere I desire it to believe that I have not the slightest wish to rob anybody, or to refuse to the landlord the same rights as those to which every human being is entitled. But the House ought to see that rights of absolute ownership are not allowed to interfere with the public good. That is the only limitation of owners' rights which we are proposing under this Bill. My hon. Friend told the House that the Cornwall County Council appointed a Committee to inquire into the question of the terms on which land is held in Cornwall. That County Council is by no means a revolutionary body. The majority of the Members do not agree with my political views; but they appointed a Committee to investigate the conditions upon which land is held in Cornwall, and to the Report of that Committee, and the evidence taken by it, I propose to ask the attention of hon. Members. I hope I may be allowed to say that I am not making any attack upon Cornish landlords. I recognise, as the Committee recognised, that, in the main, we have very good landlords in Cornwall; landlords who wish to do the best they can for their tenants, and for those who are dependent upon them. But what I am protesting against is this: that the House should refuse to give relief to a condition of things under which the landlord is supposed to have an absolute right to do exactly what he pleases with the land without any regard whatever for the interests of the surrounding locality, or for the interest of the people compelled to live upon it. And I should sincerely regret if anything I may say should be construed into a personal attack upon the landlords of the County of Cornwall. Now, I suppose that the owners of land in England constitute a comparatively small class, and it does not require any wild flight of fancy to suppose that the whole of the land in England could be held by one man. If it were, how much should we hear of the landowner being perfectly entitled to do what he likes with his own? That contention, and the contention as to freedom of contract, was upset by this House long ago. It was upset in the case of the Irish tenant, and of the English tenant, for you have forbidden landlords to make with their tenants contracts detrimental to the public, and only a few days ago, in the case of acquiring sites for chapels and places of worship, the House, by a majority, again upset the principle of freedom of contract. Furthermore, I assert that the principle does not enter into the consideration of this Bill. Throughout the larger portion of Cornwall, and especially in the Division which I represent, freedom of contract absolutely does not exist. No one could contend that it does when one man holds land in his possession which it is absolutely necessary for the people of the country to live upon. If it can be proved, as I think it can, that in many industrial portions of the constituency one or two men own all the land surrounding a particular industry, which employs 5,000 or 6,000 persons, then nobody will say that freedom of contract really exists in that neighbourhood, or that landlord and tenant are on anything like a fair and equal footing. The absolute owner of land in such a district can prevent any houses from being built, can destroy a local industry, because he can refuse to give plots of ground upon which working men may build their houses, and can absolutely prevent any form of religion which he dislikes from being practised in the place, because he can, as has been done in several parts of England, refuse to give land for the erection of chapels. That is a tremendous power to put into the hands of any one man, and it is perfectly idle to assert that Parliament has no power to step in and deal with the monopoly. The Bill now before the House deals with one part of land reform. I cannot say I should regard the passing of this Bill as all the land reform that would be necessary. It is one step towards great and drastic changes in the relations between landlord and tenant which I hope will be part of the law before long. I ask the House to accept the Bill, because it is a practical proposal. The House has debated it for years and years. It has had before it evidence from almost every part of the country in which this leasehold system obtained to the effect that the passing of this Bill would remedy existing evils. Why should we wait until we are prepared to deal with the whole of the land question, which may not be for years to come, when we might to-day remedy part of the grievous injustice which arose under our present land law? I say that the case on behalf of leasehold enfranchisement is an extremely strong one. No doubt one of the chief abominations of the Cornish land system—that of life leases—is gradually disappearing as some of the great landlords have at last set their faces against this very vicious principle. But the system of holding land under lease is almost universal throughout Cornwall, and its evils were abundantly proved before the Town Holdings Committee, to whose Report reference has already been made. The evils were shown to exist, more particularly in the case of Cornwall, where there were large local industries in neighbourhoods the land in which was held exclusively by one or two owners. Mr. Trevail, of Truro, gave evidence on the point, and he speaks with authority upon it. He gave it as his experience that when a working man had acquired the freehold of his house he became a better member of society than a man who had only a temporary tenure, and took a much greater interest in the affairs of his county and his neighbourhood, while he had the strongest possible inducement to spend upon his house the money he formerly expended in drink. The evidence given before the Committee of the County Council in Cornwall showed not merely how extremely difficult it was to acquire land at all, but also that where land could be obtained, enormous prices were asked and most onerous conditions imposed. I am not going to trouble the Committee with long extracts from the Report or the evidence, but I should like to give one case to illustrate my point. Mr. Symons, a witness who gave evidence at Camborne, stated that landlords were asking £20 an acre for building land which was let for agricultural purposes at £2 10s. or £3. Mr. Rows, the Chairman of the County Council Committee, a very able public man in Cornwall, and I am sorry to say an active opponent of mine, affirmed that it had been proved that if men wanted land on tenure for a certain number of years instead of on tenure for lives, they had to pay more for it. I say that that is a shocking state of things; it is a direct encouragement to perpetuate the old vicious system of life leases, which is nothing less than a desperate form of gambling. The excessive difference between the price of agricultural land and the same land when required for building purposes has prevented the extension of many mining towns and villages in Cornwall, and prevent the workpeople from getting decent houses to live in. The system worked with great hardship in districts where it was necessary for working men to live close to their work. Before the Cornish Committee Mr. Ball related his experience, and his hard case was typical of many others. He wished to establish himself as a builder and wheelwright, in a Cornish village in the year 1850. The landowner to whom he applied would only agree to let him land for 21 years, promising, however, to grant him a new lease for 21 years after the lapse of 10 years. The rent demanded was 2s. a yard. The wheelwright was compelled to accept the conditions, and he built a dwelling-house, a workshop, barn, and cattle-sheds upon the land. At the expiration of the 31 years the landlord stepped in and took possession of the property created by the tenant, and the landlord's steward actually sent in a bill for dilapidations, amounting to more than £17. The tenant, who had spent £700 upon the property, declined to pay the bill. He said, "I maintain that the landlord had no more moral right to that man's property than I have to his money. The question of dilapidations was only settled after five surveyors had been called in. This is how I was treated, although in 31 years I had added £700 to the value of the property." There are only two landowners in the village. It is absurd in such a case to talk about freedom of contract. The witness also in his evidence said he represented to the steward the hardship of the case;

but was informed that he had no option but to press the claim for dilapidations. The agricultural value of the land was 10s. an acre; but because it was built upon the tenant had to pay £16 an acre, and at the end of 31 years lost every farthing he had spent on it. Such a state of things as is disclosed by this case cause great hardship in districts where it is necessary for working men to live near the places where they are employed. In my own District in Cornwall the only industry besides the agricultural industry is clay-mining. I have obtained from Mr. Davis, a member of the Cornish County Council, and a gentleman universally respected in the district, some information respecting the St. Stephen's district. This is a parish of 7,000 acres. One landlord owns half the entire parish—the half which is near the clay pits. There is a population of about 4,000 and about 650 houses, five-sixths of which are leasehold. Formerly tenants obtained land on improvement leases at 3s. an acre and erected cottages. The labourers' wages were at that time 9s. or 10s. a week, and, of course, the cottages they put up were small, 12 ft. high, 24 ft. long, and 12 ft. broad. Then came the development of the clay-mining industry, and more people came into the district. Wages increased, and cottages came more into demand. The landlord saw his opportunity and took it, and increased his receipts by every means available. How did it work out? There were hundreds of cases in which a man had got a plot of land on lease, had built a cottage on it, and brought up his family. He held the lease on the three-life system. The son married and wanted his own house. The lives of the father's lease were by that time middle-aged, and it would not pay to build a house on such risky tenure. The landlord was applied to for another piece of land, or for a fresh lease, so that the house might be built on the same plot as his father's. The landlord allowed the son to have a portion of his father's plot, he gave the son fresh lives on that particular part, but charged him from £4 to £6 a year, while the father's lease continued, and when it expired, raised it to £8 or £12 per acre; so that he obtained for a time two rents for the same piece of ground. These are the unfair, exasperating, and exacting conditions which are imposed on the poor. In one place in Cornwall a landlord has ordered the removal of substantial four-roomed cottages, built by the tenants themselves, his contention being that nothing but five-room cottages ought to be built. It is, of course, desirable that such cottages should be built. I wish all labourers had them; but considering the rent which the tenants have to pay for the land, and the short term for which leases are granted, it is absolutely ridiculous to expect a working man to erect a substantial five-room cottage. The cottages which have been ordered to be removed were passed by the Sanitary Authority of St. Austell. Surely that is a very hard case. I will give the House another very hard case. A man obtained the grant of a piece of land for 21 years at a rent equal to £4 per acre. With the consent of the under steward of an estate he built last year a four-room wooden cottage, which was approved and passed by the local Sanitary Authority. This year the superior steward has stepped in and ordered the whole of this man's work to be forfeited, on the ground that it is against the rule observed on the estate to build anything under a five-room cottage. The under steward is dead. But this man's work and the fruit of his industry is to be destroyed, although he acted in the belief that he was allowed to build the four-room cottage. I say that that is a disgraceful state of things, and that such a case as this is one that requires the protection of the House. Let me quote still another case of grievous hardship in St. Austell as disclosed before the Committee by Cornelius Judd. A man got a piece of land on a life lease. It only lasted 26 years. He had built two cottages on it at a cost of £140, but at the expiration of the lease he lost all the property, and the landlord is receiving from him £4 5s. a year rent for the house he himself built. The House has done much for the protection of agricultural tenants, and I cannot see why it should refuse to protect people who live in industrial villages. Take another result of the present system. In St. Austell, land for building could only be acquired under difficult conditions, and Mr. Nicholls stated that in the last 20 years only £2,000 has been spent in the erection of houses, but in the neighbouring town of Mount Charles, where such hard terms are not imposed, £6,000 has been spent. A rich inhabitant of St. Austell (Mr. Francis Barratt) some few years ago, seeing the difficulty the working classes had in getting houses, offered in a public-spirited manner to erect a number of cottages, but he was absolutely unable to obtain land for the purpose. A Committee of the Cornwall County Council has made a very strong Report on the question, drawing attention to the state of things existing in St. Austell and Mount Charles, and pointing out that not unfrequently a whole village belongs to one or two landowners, and that in such a case an applicant for relief has to accept such terms as his landlord is willing to give. This Committee was appointed by a body which is certainly not of an ultra-Radical character, and was presided over by a gentleman who is opposed to us in politics. I have spoken so far about the hardship of this system upon the working men of Cornwall, but it presses just as much on the rich men of the St. Austell Division—the men who are carrying on the great clay mines which exist close to the towns. These men have to take a tenure of 21 years. The industry is one upon which the whole of that part of the county depends. It costs to develop a clay pit from £5,000 to £8,000 at least, and in addition to this the lessees pay yearly heavier dues than, I think, are paid by any other class of mining property in this country. At the end of 21 years their lease is gone, their improvements are absolutely confiscated, and virtually at the end of the term these gentlemen, who employ practically the whole population of the district, have to buy back their own good-will and improvements from the landlord, who originally let them nothing but a sand-heap, and who has put no expense or work into the concern. I consider this a most monstrous hardship, and I think that if these men are to be turned out of their leases they are entitled to the same equitable compensation as you have given to the agricultural tenants of the country. I think I have made out a fair case for relief, at all events in certain districts. There is in the minds of the labouring men, and, in the case of the clay mines, of the rich men who are now working them, a burning sense of injustice, a sense of dependence, and a sense of absolute shame that their means of livelihood should be absolutely at the mercy of one particular landowner, without any hope of appeal to an impartial tribunal. I have not the slightest hesitation in saying that three or four landlords have absolutely dependent on them one half of the entire District I represent. These few men have the power, if they like to exercise it, to prevent the whole of this population from earning their living under decent conditions. The community whose grievances I have brought forward does not consist of men who have ever given the Government any trouble, but of sober, hard-working, honest, and religious people, and all we ask is that the fruits of hard work extending over many years should be secured to them. This is not a revolutionary proposal, and the persons who ought to give it the warmest support are the right hon. Gentleman (Mr. Matthews) and his friends, because I think to a very large extent it is true that the more you create proprietorship and give a stake in the country to the working classes the more sober and quiet are the views they are likely to take of political changes. If you ask these people to respect your law you must make that law fair and just and see that it does not every day rob the people of the property they have created. Unless you can make your law tolerable for honest and hard-working people to live under you cannot expect them to have such respect for it as Members on both sides of the House would wish them to have. I need not deal with the opponents of this Bill, but I hope the constituencies of London will take notice that the one London Member who has put down notice of opposition to the measure, has also attempted to prevent its being discussed, is the hon. Member for East St. Pancras (Mr. Webster). It was he who moved a count while my hon. Friend behind me was speaking.

*Mr. WEBSTER: The hon. Member says I moved a count. It appears to me that the question is of some importance we are discussing. No doubt hon. Members opposite agree with me in that. It seemed to me hard there should be so few here to listen to their remarks; so I moved a count to enable them to have a semblance of an audience.

*Mr. W. A. M'ARTHUR: I am very glad to hear that explanation, and I hope the hon. Member will remind his constituents that he moved a count for the purpose of obtaining an audience for us. If he does not do so, I think others will. As to the Amendment placed on the Paper by my hon. and learned Friend (Mr. Haldane), if it stood as a Resolution by itself on any other day, I should be one of the first people in the House to vote for it. I thoroughly agree with the principles of it, and if my hon. and learned Friend brought it forward in the shape of a Bill I should certainly vote for it. But I cannot see why, for the sake of pressing such an abstract Resolution, my hon. and learned Friend should endeavour to defeat this particular Bill. We are endeavouring to create an ownership in leaseholds. We think we have a fair chance of doing that at all events within a measurable distance of time. He has no chance, I venture to say, of carrying his Resolution within anything like the same period of time, and still less of putting it into any effective shape. When the time does come to give effect to it, all the property we propose to create under this Bill will be just as subject to the provisions of the Resolution as other property would now be subject to it. I put it to my hon. and learned Friend whether he thinks he ought to stand in the way of a great public improvement in order that the House may negative his proposal to-day. At all events I shall not be led away by the Amendment, but shall vote for the practical proposition of the Bill, believing that it can be carried out, that it is equitable and just, that, if passed, it will give increased stability to the institutions of the country, and that it will create a large class of sober and thrifty householders, free from that sense of injustice under which, I think, they now very naturally labour. I beg to second the Motion for the Second Reading of the Bill.

*(2.47.) Mr. HALDANE (Haddington): With regret I find myself compelled to take up an attitude of opposition to the proposal brought forward by the hon. Gentlemen who have moved and seconded the Second Reading of this Bill. That regret is none the less sincere, because I recognise with them that there are real grievances to redress, to which the Bill seeks to apply a remedy, and my quarrel with what my hon. Friends have had to say is not on account of many of the facts on which their case is based, but because of the remedy they seek to apply. Now, my hon. Friends have both alluded to a vast number of cases of hardship, and if they had proposed a way of redress for these hardships, if they had brought forward a proposition for the purpose of conferring upon occupiers of land greater security for the improvements which they have made, I should be with them. But the case made out by them is one thing, and the Bill is another. This is not a Bill for giving greater security to the tenant. There is another Bill which will come before the House shortly, a Bill introduced by my hon. Friend the Member for St. Pancras, dealing with the subject, and when that Bill is before us we shall hear what he proposes to do, and, so far as I can now see, I shall have great pleasure in supporting his proposals. But that is not what we have to deal with to-day, and I claim to discuss the question on the footing that security for improvements is not what we have to consider. For security for improvements is one thing, while leasehold enfranchisement is quite another thing. My hon. Friend the Member for Finsbury (Mr. Rowlands) spoke of this as a Bill for the benefit of the working-classes. I am not second in a desire to benefit the working classes, but I object to conferring a benefit upon a small section of the working classes at the expense of the remainder, and that is what the present Bill proposes to do. The hon. Member for Finsbury expresses surprise that I should be found opposing fixity of tenure for the working classes, such as he imagines exists in Scotland, and that I stand still—not accepting one reform, while waiting for another. But I take this [attitude of opposition to his Bill, because I believe it will throw back the settlement of the land question

for a long time to come, and it is calculated to do infinite damage to the cause both he and I have at heart. The hon. Member referred to myself as having, two years ago, as he suggested, once before stood in the way of a measure for the enfranchisement of occupiers. It was a very unfortunate illustration, as it seemed to me, that the hon. Member for Finsbury cited. Two years ago, and since I voted for the creation of small freeholders in Ireland, because I thought the special circumstances of the case required it, that the peculiar conditions of social order demanded it, and when the hon. Member for Finsbury did not and the hon. Member for St. Pancras did not vote for it, I did. I do not blame them; it is a question of an entirely different character from this; only I do say the illustration was an unlucky one. I will do my best to show that those of us who do take up this attitude of opposition are in favour of the principle of compensation for improvements; but that we are also in favour of another principle, and, further, that where social order or peculiar circumstances require the enfranchisement of leaseholds, or the creation of small freeholds, we are prepared to bring that about, and, if necessary, by the introduction into legislation of compulsory powers. But in dealing with a special state of circumstances, you are dealing with something quite different to the state of things which should govern a proposal for the working classes of the whole country. The hon. Mem- for the St. Austell Division (Mr. W. A. McArthur) gave a number of illustrations which seem to me to bear out what I have stated. Take the case of the owners of clay mines in Cornwall. Is there a single clause in the Bill which would apply to them? It is a question of occupiers of houses, not of mines; it is a case of tenements and small holdings connected therewith; and the cases of clay mines, to which the hon. Member alluded, are cases that do not in the slightest degree support the principle of the Bill, but they do support the other principle to which I have adverted, that there ought to be a general law for giving greater security for improvements made during occupation than exists now. Other cases were stated by the hon. Member which seemed to me to show that there is need for Municipal Authorities to have compulsory powers to acquire land for the creation of occupation holdings. The question for the consideration of the House and on which I shall endeavour to make out my case is, whether the remedy proposed by my hon. Friends in the Bill would not throw back a settlement and interpose difficulties of a serious nature between the time in which we stand and the time when we may hope for a redress of the grievances upon which we all agree. What is the proposition of my hon. Friend the Member for Finsbury? He seeks to transfer the complete and absolute dominion over a number of small holdings from the present owners to a number of smaller owners—not occupiers, mark you—for this is a circumstance to be borne in mind in considering this Bill. This Bill carries with it, according to the now common practice, an explanatory Memorandum, and this Memorandum puts forward two recommendations from the Report of the Town Holdings Committee, in which it is set out that the working man having made improvements in the house he occupies can get no recompense when turned out. This is a grievance, and a serious one, but does the Bill meet it? This is not a Bill directed to the case of the occupier, it is directed to the lessee for an unexpired term of 20 years, who is by no means necessarily in occupation. My hon. Friend referred to working men who are in the position of such lessees, and no doubt there are some in the North, where Building Society schemes have flourished greatly, and it is said there are some at Woolwich; but all I can say is I should have no difficulty in proving that the number of working men who hold their houses on leases of 20 years and upwards is infinitesimal in comparison with the number of those who occupy upon much shorter terms—from year to year, for three years, or five, seven or 14 years. Now, let me give a practical illustration of how the thing works out. Suppose an owner of a large piece of property near London, who has done what is very commonly done, let out the land on 99 years building leases. He has let to a builder who is strictly bound to erect houses of a certain character and in a certain way, and he has built the houses and, with a view to making profit, has sub-demised them at short terms to a working class population. The people will occupy the cottages so built on terms of—if not from year to year—of short periods of not more than seven years. I will suppose the building scheme extends over a good many acres close outside London. Then this Bill passes. The builder—the leaseholder thereupon serves the necessary notices and acquires the freehold, taking very good care that he in turn does not fall into the trap in which he has caught the orignal freeholder, for he himself lets in future on shorter terms than 20 years. The result is, you have transferred the dominion over this piece of land from one freeholder to another, without giving the slightest benefit to the occupiers. The evil does not stop there. The transfer of the property from one man to another is a simple matter, and, if in the future it should be necessary to assert the interest of the community over the land, it would not so much matter, but the process will not generally take the form as in the case I have assumed of the transfer of the great part of the property from one freeholder to the other individual freeholder. The property may be sub-demised and split up into a number of small holdings held by people who are not occupiers and who, under the 14th clause of the Bill, will be free from all the restrictions as to division and sub-letting originally imposed. The result will be, if the Bill passes, the creation of a number of small freeholders, far more difficult to deal with than the freeholder you originally had to face. Bear in mind, we seek to assert some control in the interest of the public over the use of land, particularly urban land, and the situation becomes very serious under a Bill such as this. At present we have got to deal with a few great landlords. You have people in London who own land in enormous tracts. Everybody knows and everybody is watching the proceedings of the Duke of Westminster, the Duke of Bedford, or Earl Cadogan, or Sir John Ramsden in the North; their proceedings are public; they are influenced by the old maxim *noblesse oblige,* and are in a great measure amenable to public opinion; but when you have a large number of small owners who sublet to any extent and follow out the maxim of doing what they like with their own, you have a state of things in which every resistance will be offered to any proposal, in the name of property. I am not surprised that the hon. Member for St. Pancras, one of the great patrons of this enfranchisement movement, should have received a testimonial from a Property Owners Association, thanking him for his services to owners of property in promoting leasehold enfranchisement. But these are not the people for whom we design the benefit. We are not left to speculate about this, we had a matter before the House last year in connection with property in London. There was a proposition on the part of the London County Council to remove the gates and bars which obstruct access to the great railway termini in the North of London. That proposition was generally accepted outside the House, no strenuous opposition was offered, but when the question came before Parliament, who opposed it? Not the Duke of Bedford, he was conspicuously absent from the discussion in the House of Lords; not Her Majesty's Government as representing the big landowners, but Her Majesty's Solicitor General as representing owners of property in Bloomsbury. He rose after a speech made by the President of the Local Government Board in favour of the Bill, and proceeded to oppose it strenuously, and he was successful, not only in defeating the Government as represented by the President of the Local Government Board, but in getting nearly the whole of the occupants of the Front Bench to go out with him in defence of the rights of owners of property in Bloomsbury who objected in their own interests to the removal of the gates. I say, for my part, that from the great Dukes and Marquesses with whom in a great measure we have to deal in London, we may expect more mercy, more consideration, for the claims of the public than we can from the class of small freeholders proposed to be created by this Bill. The Amendment of which I have given notice indicates the grounds of our objection to this Bill. The course of the history of land in the neighbourhood of our great cities, particularly of London, shows that there is added as year succeeds year a value to the land, an increment which is not due to the creation, the work, or the expenditure of the occupier, the lessee, the builder, or the owner, but is entirely due to the growth of population and of its necessities. This special increment is being added to the value of the land year by year, and, as the law now stands, goes into the pockets of the freeholder. And what would be the effect of this Bill? It would not intercept that value which is created by the community, it would not take it for the community which made it, it would not prevent a state of things which has amounted to something like a scandal in the past—the Bill would leave the matter just as before, and without any alteration, except that it would make a present of this value at the expense of one set of landowners to another set of landowners. To my mind, that is a proposition wholly indefensible. Let us rather than do that accept the *status quo*, and be content to wait until we have educated the public mind up to the point, when we can proceed to arm our municipalities with the power to prevent in the future such grievances as have been suffered in the past. That is my greatest objection to the Bill, as it comes before the House purely as a Leasehold Enfranchisement Bill. In listening to the speeches of my hon. Friends, I was glad to find that both agree to this, that there ought to be legislation to secure to the community the special value created by the community. In the moral title to this we agree, and we desire to assert it, but the proposition of my hon. Friends is that there is nothing in their Bill which involves any disadvantage to the wider proposition of which I speak. To that I cannot assent. If the Bill becomes law we shall have to assert the public rights not as at present against the few, but against a multitude. It remains for me to substantiate the point that a municipality may acquire this unearned increment without any derogation to the rights of property. It has been said that this is not possible, but I do not assent to that. There are precedents, at all events, for interference by the State with rights of property in the Metropolis to an extent that gives some encouragement for the future. I am not talking of taking from anybody that which is his own. I am talking of such legislation as we find in the Metropolis Management Act, which put restrictions of the most stringent order on owners of property in London. The hon. Baronet the Member for Kingston is not in his place. He has had large experience of the working of that Act in the Metropolis, and I should like to have his testimony upon it, and as to what might be called, from a private point of view, the hardship deliberately inflicted by that legislation upon owners of property, restraining their legal rights in the interest of the community. But it is not necessary to go to precedents. I rely on principle. I suggest the line upon which we should legislate for the future, leaving the past as it is; and I am not advocating land nationalisation as it is commonly termed. If that means going back on the title of the owner in the past, I say it cannot be done without compensation. If you want to nationalise the whole of the land on terms of compensation you will undertake a financial operation so big that you will find it impossible. If, on the other hand, you proceed to do it without compensation you meet with most formidable difficulties. In the first place we are not dealing with individuals. Who are the owners of the land of the country? Not the individual in whose name the title stands, but the incumbrancers and mortgagees, the builders, bankers, merchants, and others who have, so to speak, made their money by the sweat of their brow. Perhaps a Building Society is second mortgagee, and a Trades' Union, which may have advanced its funds on the security of the title, may be third mortgagee. All these people are landowners, and if you are to deal with land nationalisation on any large scale you will have to deal with a multitude of individuals to such an extent as may make it absolutely impossible to separate title to land from title to any other property. Nationalisation of the land is therefore impracticable, and it would be in breach of public undertakings. It was only recently, in 1874, that this House passed a Real Property Limitation Act, which gave the assurance of the State that everybody who had been in occupation for 12 years should, as a general principle, have an absolute title. You cannot go back from that assurance, and I therefore agree with my hon. Friend that it is not possible to bring forward any scheme of land nationalisation in the sense in which he uses the term. But when we come to the land that is situated in big towns, I join issue with him. I say you can do it without going back one bit on the principle of private property. We are, of course, familiar in this country with compulsory interference with the rights of private owners of land on terms of compensation. I should like to quote a few words from one of the greatest and fairest writers who ever touched this subject, a man who had an intense zeal for reform, added to an almost too rigid regard for the rights of property—I mean the late Mr. John Stuart Mill. What he says on this point is this—

> "The claim of the landowners to the land is altogether subordinate to the general policy of the State. The principle of property gives them no right to the land, but only a right to compensation for whatever portion of their interest in the land it may be in the policy of the State to deprive them of. So that their claim is indefeasible. It is due to landowners and to owners of any property whatever recognised as such by the State that they should not be dispossessed of it without receiving its full pecuniary value or an annual income equal to what they derived from it. This is due to the general principles on which property rests. If the land was bought with the produce of the labour and abstinence of themselves or their ancestors, compensation is due on that ground; even if otherwise it is still due on the ground of prescription. Nor can it ever be necessary for accomplishing an object by which the community altogether will gain that a particular portion of the community should be immolated. When the property is of a kind to which peculiar affections attach themselves the compensation ought to exceed a bare pecuniary equivalent. But subject to this proviso the State is at liberty to deal with landed property as the general interests of the community may require, even to the extent, if it so happen, of doing with the whole what is done with a part whenever a Bill is passed for a railway or a new street."

I say that remark applies to the very holdings it is proposed to deal with in this Bill. I say the true principle is to assert the right of the community to expropriate upon terms of paying the present market value, the title of the owners of urban property in order to acquire for the future that increment of value which is due solely to the growth of population, and to the public necessities. I do not think there is any difficulty in carrying out such a proposition. All you have to do is to arm your County Councils as they are now constituted with adequate powers, and then to educate them in the duty of exercising those powers. Contrast the proposition of my hon. Friend with such a scheme as this. Let me, in the first place, point out some difficulties in the way of the proposals of the Bill. In the first place, the Bill provides for no adequate control of the uses to which the enfranchised land is to be put. The hon. Member for Finsbury (Mr. J. Rowlands) referred to Clause 14 as containing the first attempt to give the Local Authority some power to deal with the interests of the land. That clause takes the existing covenants, and proposes to give power to the Local Authority, if it pleases, to enforce them. It begins by sweeping away all restrictions on sub-demise, and things of that kind. It does not, however, prevent the owner of a small holding from robbing the occupier to whom he has made a sub-demise.

*MR. LAWSON (St. Pancras, W.): May I point out to my hon. and learned Friend that by the last paragraph in Clause 14 it is provided that the Local Authority—

> "May also restrain the lessee from so dealing with the demised premises either by doing or omitting to do any act in connection therewith as will, in the opinion of such Local Authority, prejudicially affect adjoining owners."

*MR. HALDANE: I have read that clause, but—it is perhaps because my mind has been debauched with law—I am absolutely unable to attach any definite meaning to it. But, whatever its meaning, it is obvious it will not interfere with the express words of the enactment. Therefore, the robbery of the occupier may go on for the future under the Bill as it has done before, and not only so, but the new freeholders may build on their freeholds practically without regard to the public interest. It comes to this: that the Local Authority, while having power to enforce some restrictions, will have no power to intercept the unearned increment for the benefit of the community. Nor is it to be in the power of the Local Authority to interfere, when an owner desires to build an unsightly structure, or to make his property out of harmony with the property in the adjoining district. Not only is there not to be any adequate control of the user, but you will now have to deal, not with a few people, as was the case in the past, but with an indefinite number of owners of houses of every kind and character. Then you have this difficulty about the increment as it accrues in the future. My hon. Friend suggests that it may be met by taxation of ground values. I am not going to discuss that for the present. It is a subject of great difficulty on which I am in sympathy with many of the views I know the Member for St. Pancras holds. I understand him to suggest by taxation of ground rents simply some form of tax of a limited kind, leaving the surplus to go into the pockets of the owner of the ground value. That is a proposition which is wholly inadequate to meet the case. It is not proposed to put a 20s. in the £1 tax on ground value. To do that would be only distinguishable from confiscation, in the same way as putting one to death in a warm bath is distinguishable from hanging or any other ruder way of extinguishing life. The surplus of any tax under that amount would still, as I say, go into the pockets of the owner and be lost to the community. We desire to arm the Local Authorities with powers to enable them, by means of valuations and after fair notice, to possess themselves of, not the past, but the future, increment for the benefit of the community. I do not propose now to go into the details of any scheme of the kind, but I say it is in that direction of compulsory purchase, and enabling the community to acquire what the community has created, what they ought never to have been deprived of, that you must look for the real remedy. Give compensation for improvements, and legislate in the other direction I have intended to indicate, and you will secure something like a redress of the grievance against which this Bill is levelled. This Bill is absolutely hostile to such a suggestion, and will, if it be carried, make any dream of municipalisation of land an idle dream, by evoking the opposition of a very large and constantly increasing class. For these reasons I am compelled to oppose the Bill. For every one it will assist, I believe the measure will irrevocably damage the prospects of a hundred others. I beg to move the Amendment which stands in my name.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words, "It is inexpedient to pass a Bill which professes to enfranchise leasehold holdings without providing power for the regulation and control of such holdings in the interest of the community, and the acquisition in that interest of such increment in the value of such holdings as may hereafter take place by reason of public necessities and other causes independent of improvements by the owners."—(*Mr. Haldane.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

*(3.25.) MR. MUNRO FERGUSON (Leith, &c.): As a supporter of the principle which my hon. Friend has just laid down, I have to second the Amendment. I do not deny that a certain amount of good would be effected by the Bill. No doubt many country districts, like those which my hon. Friend the Member for St. Austell (Mr. W. McArthur) has spoken of, would be benefited by such a measure. No doubt those who have capital in the towns would also be benefited by its provisions; but what we hold is that the measure would deprive the great majority of the people of any hope of obtaining a material improvement in the condition of their surroundings. The case of the Irish Land Purchase Bill was instanced by the hon. Member who moved the Second Reading. The case of agricultural land, however, is entirely different from that of urban building land, apart altogether from the great question of the unearned increment. The unearned increment in the case of building land is a quantity which is continually altering at high ratios. But, apart altogether from that, in the management of agricultural land there has to be constant supervision and constant interference as long as the system of occupier and owner continues. But in the case

of urban land the only operation from which the owner materially controls is that of the fixing of the price. We believe that land nationalisation is impossible, but the difficulties attending the municipalisation of land are of a very minor character, and such municipalisation does offer the hope of considerable improvement in the condition of our towns. The weakness of the Bill is that it would benefit only the few and leave the many much in the same condition as they are now. It would add to the number of those who would put the unearned increment into their pocket, and the community would be deprived of that increment. It is far easier, as has been pointed out already, to deal with a few landowners and make them subject to restrictions, than to deal with a large number of them. You might find it easy to deal with them in London. We think that the measure, if passed, would be a stumbling block in the way of any thorough reform. The Member for the St. Austell Division pointed that out, because he said that if the whole of the land in the country belonged to one landlord there would not be much question as to the interfering with his land. It is clear, then, that the more landowners you have the more difficult it is to deal with this question. The supervision required in towns is exercised to a great extent by the Municipal Authorities already. You would not add very much to their work if you charged them with the duty of seeing that the community secured the land, if required for extension or necessary sanitary improvement. It has been said that under this Bill it is intended to bring some of the advantages which we enjoy in Scotland, under the feu system, to the inhabitants of towns in England. But, in my experience, the feu system in Scotland has not been found absolutely satisfactory. The Bill brought in by my hon. Friend at my side and myself has been approved very largely in the urban constituencies in Scotland and also by the Society of Solicitors. It is true that in that Bill we only provided for the purchase of vacant land, but it is equally easy to give the community power to purchase land already occupied as also to tax ground values. That is a power which should be conferred. It is not proposed to take any land without full compensation for it, but the community should certainly have power to purchase any land required for the public good. The object sought to be obtained by the promoters of this Bill would be equally secured under our proposal. But, further than that, we maintain that our proposals offer a satisfactory solution of the question in Scotland, whilst the other proposals do not really face the difficulty. Only a limited number would be benefited, and it would be almost an impossibility afterwards to carry out any effective reform. While it is proposed in this Bill to strengthen the present system by which the unearned increment goes into private pockets, we want the whole of that increment to go into the public purse. We hold that all the existing values should be open to valuation, the community should be able to have them fixed, and be able within a certain period of time to take the lands at the values fixed at the time of valuation. When we are reproached by those who say that we are attempting to bring about land nationalisation, I say I do not believe in land nationalisation. I think it impracticable and impossible. But I do believe that the municipalisation of land in the way suggested by my hon. Friend the Member for Haddingtonshire is both practicable and desirable. It is with great regret that we have to oppose this Bill, which does, no doubt, offer some measure of amelioration to many people, but we cannot but recognise the fact that in this case it is better to throw out a reform which does offer some advantage if it stands in the way of a more comprehensive reform. We had a warning in the Education Act, and believing that we are bound to take every possible precaution when we start a reform to secure that we shall do it on the best lines, and believing that the principles I have described are on the right lines, we shall offer the most strenuous opposition to the proposal before the House. I beg to second the Amendment of my hon. Friend.

*(3.40.) MR. BARTLEY (Islington, N.): This is not altogether a legal question, but a matter which especially concerns London and the well-being of its great population. I have had

the advantage of attending the Town Holdings Committee for four years, and have taken part in the inquiry into this subject. I suppose it is impossible upon such a subject to expect unanimity of opinion, but there is a general feeling that something ought to be done to improve the homes of the people, and to enable those who are in a position to do it, to obtain the freehold possession of their leasehold holdings. I support the Second Reading of this measure, although I confess a preference to my own Bill, to which, I suppose, it would be out of order to make reference. The House will forgive me if I still think my own goose a swan. I support this Bill, because I think it can be made a useful measure by alteration and amendment in Committee. It is a misfortune that it applies to all leaseholders holding for a certain term. I am not at all interested in the leaseholder as a leaseholder, but only when he is occupier of his premises. There is no reason why a leaseholder who is not an occupier should have the advantage of this Bill. What this House has to do is to make the occupying tenant a freeholder; and if we can in any way do that, we shall enormously improve the social condition of the country. It would be very easy indeed to limit the Bill to occupiers, and I do not see why hon. Gentlemen opposite should not assent to that course. There is a certain amount of clap-trap in saying that this measure is for working men. In my opinion, the poorest stratum of working men in London would not be benefited by it. Those benefited would be the cream of the working classes, and the poorer of the middle class, the latter being so important and almost as numerous as any other class of the community. It would enable small tradesmen to get possession of their homes and leave a shelter for their successors while they had time to look about them. There are three or four main objections to the Bill. One is the old stalking horse of interference with contracts. We believe it wrong to interfere with contracts, save for the public welfare. But we feel that if this Bill only applied to new contracts, many years would elapse before it would come into operation—pretty well a century, and the means of evading the Act would be so great that it is absolutely necessary that the measure should be made to apply to existing contracts. What would justify interference with contracts? Surely it is the great danger which arises from the fact that enormous areas of large towns are owned by a few individuals. In London we must acknowledge that it is a great danger that one or two men should be deriving enormous wealth from certain parts of London. There are one or two cases in which an owner is drawing hundreds of thousands a year, and in a few years even £1,000,000 a year will be drawn from parts of London by one man. I ask the House to consider whether the ideas occasioned by such wealth and in such a prominent form are a source of safety to the State? Does it not constitute a subject constantly to be shot at and attacked? If these enormous holdings were subdivided among a large number of small persons, occupying their own freeholds, surely that would create a barrier of safety to the nation. Fifty years ago the National Debt was held by comparatively a few persons, and the possibility of repudiation was even then whispered as not out of the question. Now, by the establishment of the Post Office Savings Bank, Friendly Societies, and other agencies, a quarter of the whole Debt, at least, is held by millions of the people, and at the present time the idea of repudiating that Debt would be absolutely impossible, because it would ruin millions of the community. If a fourth of the land of this country were held by the millions, it would constitute a real security to the nation, and a great security to all landlords. A great many of the movements, such as those for taxing ground rents, would be swept away by such reforms. Another objection raised is the grievance of severance. I agree that this is a serious objection, and I am sorry that the Bill contains no clause to minimise the danger and difficulty of this subject. If the Local Authorities are intrusted with the power of purchasing outlying portions of an estate, a great deal of hardship will be done away with. This idea was sketched forth in the Report of the Town Holdings Committee; and if the plan were worked out, this great difficulty of severance might be got over, or, at all events, minimised to a great extent. Clauses in my Bill deal with this matter. Then there is the danger of an individual in a residential street turning his house into a shop or a noisy factory. It might, to meet that contingency, be arranged that the localities should enforce the covenants of the lease. I think the localities might well undertake that duty. In my judgment, it would be only reasonable that some slight additional allowance should be made for compensation beyond the ordinary value. With regard to the County Court, it is, after all, the best tribunal we have got for the purpose, and the great bulk of the cases would be fairly adjusted. It is a mistake to limit the action of this measure to leases for 20 years, for directly a particular number of years is named some evasion would be introduced. I strongly object to Clause 15, which provides that when a man has gone through the process of purchasing his freehold he should have a right to make it into a perpetual rent-charge. Such a clause is, on the face of it, grotesquely unfair. I shall support the Second Reading of the Bill because it is wise and politic, and because, looking to the future, it is absolutely essential to increase in every possible way the number of individuals in this country who are personally interested in the holdings which they occupy.

*(4.5.) MR. LAWSON: The Bill has been between a cross-fire of Amendments as they stand on the Paper; but at present not one shot has been fired from the old-fashioned fort by those who maintain the doctrine of free contract in all circumstances, and without regard to the conditions of human life. I do not know whether the defence of the position is not reserved for the Home Secretary. I hope he will be able to make a better case of it than he did last week when, in spite of his speech, a Bill was carried against him by 100 votes. With regard to the Amendment, I contend that the powers of public control which it seeks are provided for by the 14th clause of the Bill, and I think, though I do not pretend to speak with the authority of a lawyer, that the words of the clause cover any such cases as have been quoted by the hon. and learned

Member. The second part of the Amendment deals with a different subject. The first part of it is inaccurate, and the second irrelevant. The second part deals with the subject of local taxation. This Bill does not provide for intercepting the unearned increment in the ground values. It does not touch the question. I do not wish the House to prejudge the question of local taxation on this Bill, which has, in fact, no connection with it. If the hon. Member for Haddington thinks it is possible, by means of purchase on behalf of Municipal Bodies, to secure what was called "the unearned increment" for the community, he is disregarding the teaching of experience. This plan has been tried in London, and the Metropolitan Board of Works and the London County Council have actually lost instead of gained by taking land for the purpose of recoupment on improvements, even under the most favourable circumstances. I do not wish to abuse the great London landlords, but the whole of London is not in their hands. There are a number of small estates of which the names of the freeholders are quite unknown to the public. The hon. Member cannot have looked at the statistics for London. Those hon. Members who, like myself, served upon the Town Holdings Committee, found it very difficult to discredit the desire of the working classes of London and other leasehold towns to secure possession of their homes. The hon. and learned Member has been led to a general conclusion from a perusal of Mr. Henry George's fascinating book, and has been followed in that course by my hon. Friend the Member for the Leith Burghs. They desire that the Municipalities shall have the power to purchase land, and they forget the whole course of legislation during the last few years. The latter part of the Amendment is outside the scope of the Bill. If he had read the evidence given before the Town Holdings Committee, he would have known that there is a general desire among the working classes not only in London, but in other parts of the country, to acquire possession of their holdings. The Committee in their Report declared that the working classes would welcome a measure enabling artisans to purchase the freehold of their homes, and that such a measure would operate as an encouragement to thrift. Mr. Jones, speaking for a million cooperators, in his evidence before the Committee, said—

> "For years we have had thousands of pounds lying at the bank at a mere nominal rate of interest, and we have members pressing for houses to be built, but the land being unavailable except for short leases, and our society being a permanent Corporate Body, we would not expend our capital on short leases."

Then we have the evidence of Mr. Green, of Woolwich, who was questioned as follows:—

> Q. "Then you think that the workmen have a desire to obtain the freehold of their own houses for the benefit of their families in preference to leaseholds? A. Equally so, as much as an aristocrat, because the idea of the workman is to benefit his family, but he resents this continual drain upon the savings of his class by the ground landlord."

I cite this evidence to show that the Committee were put in possession of the wishes of the working classes, and they unanimously came to the conclusion that some form of leasehold enfranchisement was necessary. [An hon. MEMBER: No.] I know there was objection to the particular form, but there was absolute unanimity upon the principle of enfranchisement. The only objection taken was as to the machinery by which the principle was to be put in operation. For my own part, I should be willing in Committee to accept any Amendment which would make the machinery of the Bill before the House work more easily, and therefore I hope that the Home Secretary will not criticise the Bill in its details. I am asked what the workman can gain by the Bill? The working man has probably a greater interest in this than any other class of the community. It is his interest to have secured to him the results of his labour that he invests in the embellishment of his house. It is his interest to obtain good public and private sanitation. I think we are justified in including not only the occupiers, but the leaseholders. Only the other day at Cambridge a case occurred in which a shopkeeper holding under one of the Colleges, who had expended a large sum of money on the understanding that his lease would be renewed, had his rent enormously increased, and had to pay a heavy fine. There is no reason why the small shopkeeping class should not be considered as well as the artisans; and no stronger case for leasehold enfranchisement has been made out than that presented before the Town Holdings Committee by the shopkeepers of London and other leasehold towns. They are more than any other class exposed to extortion with their goodwill and open trade. The Local Authorities throughout the country gave evidence as to the unsanitary state of things which the leasehold system produced; and though it was urged that the landlords' covenants would provide a remedy, it is the fact that these covenants are allowed to be neglected in order to secure the rents from the property. I find that in his evidence Mr. Clegg said—

> Q. "And do you think it would be expedient upon grounds of public policy to transfer large quantities of property in Sheffield to their hands? A. You cannot for a moment suppose that if those people bought the reversion that they would allow the property to remain in that state (bad repair). During the last 10 years that a lease has to run, a lessee will make all the money that he possibly can out of the property and do nothing to it, as the Report which I read from the Medical Officer of Health shows. The properties he refers to have not been painted for years and years."

Again, Mr. Castle, the land agent of Oxford University, as to national character, said—

> Q. "That is not merely only a public question, but it is a private question so far as it concerns the owners of property? A. Yes; I think in their interests it is advisable that the interest of property owners should be made as wide as possible—that is to say, that as many people should be interested as possible in property. I might illustrate it by saying I think it would be an extremely desirable thing for the country and the owners of property in the country that as many working men as possible should own their own homes, particularly, I think, in the case of artisans, and the more intelligent class of working men around towns."

I have still further evidence—that of a great writer, now dead. Nobody ever thought he took any interest in this subject, but I find in some Reminiscences, recently published, the following:—

> "He discoursed on London and on Londoners, storming against the sordid and hollow life by which he was surrounded; complaining of the very houses amid which he took his devious way. They were built, he said, to tumble down in 90 years. The tenant had only a

99 years' lease from the landlord who owned the ground; he could not afford to build solidly and honestly; his architect had learned how to run up a wall which would stand just long enough not to become the property of the landlord, computing that the wall should fall down before the lease fell in. Yes, it was more the fault of the landlord than the tenant; but it was a devil's system all through, and the devil had a sure grip on tenant and landlord both. And what did it matter? 'They are just a parcel of pigs rooting in the mire.'"

I stand on the principle of the Bill as affirmed by the Town Holdings Committee. In conclusion, I can only say I believe that the Bill, if it is passed—as I hope it will be—will carry out the principle approved last Wednesday; it will do something to put a stop to a system whereby a man pockets the savings and earnings of another for no reason save the happy chance that he is the owner of the freehold, and do a great deal to strengthen and solidify and to improve the public health and peace of the community.

(4.25.) THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The discussion this afternoon has been marked by that disregard of the rights of property which seems to be characteristic of Wednesday afternoon discussions. On the one hand, there are two hon. Members of the mind of the Roman tyrant, who wished that all his enemies had but one neck, that he might sever it at a single blow. Those hon. Members wish to concentrate the ownership of land into as few hands as possible, in order that they might have but few victims to hold up to the public resentment in the future. On the other hand, the hon. Member for North Islington with equal frankness has avowed his desire to take away the property from the present owners and to give it to many others, in order to create a public sentiment in favour of property. I can only earnestly hope that the good sense of the House of Commons will save us from any of these schemes. As to the arguments in favour of the Bill, they are, in my opinion, arguments against the principle of property at all. No one, of course, denies that the rights of property, as understood in English law, may lead to a very disagreeable and unjust state of things, and several extreme cases of the exercise of those rights have been cited. Everyone will agree that, if one or two landlords have in their own hands the monopoly of the whole land of a district, and thus can prevent the working men in that district from being able to live within a reasonable distance of their work, such landlords are the enemies of their class in exercising their legal rights in such a way. They furnish arguments to the opponents of all rights of property. For the sake of argument, I will concede that, if such a state of things were general, or if there were but one landlord for the whole of England, possibly Parliament might have to review the rights of property. But is it true that the rights of property are harshly used or abused as in the isolated cases which have been cited? I do not believe it. The landlords of this country, for the most part, do not use their rights in a way adverse to the common good. The fact that leasehold tenures prevail in one part of the country, freehold tenures in another, and feus in a third, shows that the landlords have the good sense to let their land in the manner best suited to the demands arising among their poorer neighbours. It sometimes happens that the landlord has not the power to let his land except on one kind of tenure, and I look benevolently on any legislation which will remove such disabilities. But the cause of long tenure or short tenure is partly to be found in the value of the land, and partly in the nature of the demand for it. There are places where the land is too costly for the great bulk of the occupiers to be able to buy the fee, or to live on it except on short leases. Hon. Members have cited cases where the fact of ownership gives the landlord a chance of imposing a hard bargain, either in exacting a rent that is too high, or in fixing a tenure too short to enable the lessee to recoup himself for his expenditure on the land. Well, if hon. Members are logical, they will prohibit leaseholds altogether; but that is not the remedy proposed. It is proposed to remedy these isolated cases of injustice by inflicting a universal injustice on the lessors. This Bill is not a proper remedy for the grievance alleged, which is that there are parts of England in which a man cannot get land for the building of a house. For that no remedy is given to the man who has not a lease; the only person benefited is the man who has a 20 years' lease, and who has time to recoup himself for any ordinary expenditure, and that benefit is given by allowing him to break the terms of the contract into which he has deliberately entered. If the promoters of the Bill are acting in good faith, if they believe that the system of letting of land for short terms is one which is so mischievous and dangerous to the public weal that the law ought not only not to recognise it, but ought to allow men to break their contracts, then the measure which ought to be introduced is a measure forbidding the letting of land for less than, say, 200 years. But hon. Members think they may pass this Bill because they are only pressing on an unpopular class, not yet too few for the Scotch Members who have announced "Georgian" views today. The Mover and Seconder of the Motion and the hon. Member for St. Pancras said that the Bill was proposed in the interest of the working classes. That is one of the greatest shams ever heard of. Hon. Gentlemen are ready enough to appeal to the authority of the Town Holdings Committee, of which some of them were members, but they ignore the real drift and meaning of the recommendations of that Committee, and they have prefixed to their Bill a Memorandum which gives a totally unfair meaning to those recommendations.

*Mr. LAWSON: The Town Holdings Committee recommended a form of leasehold enfranchisement which is not in the Bill.

Mr. MATTHEWS: They used these words—

> "We are unable, for the reasons above stated, to recommend the adoption of any general scheme of compulsory leasehold enfranchisement such as that proposed to us."

This Bill is a scheme of compulsory leasehold enfranchisement, and, therefore, the Town Holdings Committee have emphatically condemned the proposal. To say that they recommended the Bill is a statement more courageous than I should have expected from hon. Gentlemen. The Committee also said—

> "Your Committee have come to the conclusion that the suggested leasehold enfranchisement would not materially benefit the working classes in London and most of the large towns."

On this point I would appeal to the experience of hon. Members on both sides. It may be that there are places in Cornwall and Wales where there are working men holding leaseholds. It must be an exceptional working man who has a 20 years' lease—he is a *rara avis in terris.* The small shopkeeper deserves as much consideration as the working man. That there are hard cases with regard to shopkeepers in London I have no doubt. There are cases where a man has created a valuable goodwill, and he may be treated unfairly by the exercise of the rights of the landlord. That is conduct on the part of the landlord which every chivalrous-minded man will condemn. But are we to do away with the rights of private property altogether in consequence of some out-of-the-way case of individual hardship? We in this country are willing to accept disadvantages and drawbacks, and even occasional injustice, in order to secure the enormous advantages which the untrammelled and free exercise of the rights of private property have secured—advantages which could not be maintained if surrounded by the snares and pitfalls which will be created by this Bill. The Bill in its main outline proposes to give to any 20 years' leaseholder the power to break his contract to the injury of his landlord. In London on the same plot of land there are frequently as many as three leaseholders—one original leaseholder of 90 years, another of 60 years, and a third of 25. Which of the three is to benefit?

*Mr. LAWSON: All the three.

Mr. MATTHEWS: All the lessees cannot benefit; and is the 90 years' lessee to be deprived of his right in favour of the 25 years' lessee? Why should one of these lessees be picked out for benefit to the exclusion of the owners? The man selected may probably have laid out nothing on the land. Even on a Wednesday I will not admit that the owners of land should be treated as *hostes humnia generis.* Why are landholders, contrary to the contracts they have made, to have their property taken from them piecemeal at the time the occupier chooses to select, without any right in the owner to sell to any other person? Under this Bill an unhappy landowner who has done nothing wrong or unjust is to have his land handed over to another man, land which express covenant says he shall recover, and is not to get the price which he may want for it, but only a rent-charge, which he is to recover as best he can. One would have thought that gentlemen with the elevated views of equity of the supporters of this Bill, gentlemen who like knights-errant seem to ride about the country to redress every imaginary wrong—one would have thought that it might have occurred to their minds that a reciprocal right ought to be given to the landowner to compel the leaseholder to enfranchise. The Bill, however, does not propose to confer any such right upon the landowner. The Bill applies to all landlords, good as well as bad, and amongst the owners of ground-rents I may observe there are many who deserve quite as much sympathy as leaseholders do. The owners of ground-rents represent an enormous class, about whom hon. Members opposite, who feel such solicitude for tradesmen, do not seem to think at all. There are widows and orphans whose whole income depend upon ground-rents. Why are they not to be considered? Why should they be subjected to the injustice of having their legal and contractual rights taken from them? We have heard a good deal about the municipalisation of land. I can hardly pronounce the word. Well, that is a system under which these large interests have grown up in England. And yet the hon. Member seems to favour a policy of confiscation.

*MR. HALDANE: We suggest that any person whose land is purchased should receive the full market value.

MR. MATTHEWS: I certainly understood the purport of the hon. Member's speech to be that he hoped the time was coming when there would be only one or two landlords who could be kept within more stringent limits. There are two instances of great Corporations in this country which under this very leasehold system have secured the unearned increment. There are, for example, large estates belonging to the Corporation of Birmingham, and institutions such as King Edward's Grammar School, the whole future value and prosperity of which depend upon the leasehold system being allowed to continue, and the ultimate ground-rent being allowed to fall in. The estate belonging to King Edward's School and the Corporation estates have been let out on 75 years' leases, and at the end of that term the lessors expected to enjoy the unearned increment resulting from the expenditure of the lessees upon the land. And who shall say that the lessees will be injured? They have, it is true, built upon the estates costly warehouses and other buildings; but I do not hesitate to affirm that they will get 5 per cent. in respect of their outlay for the period of their term, and will be repaid at the end of it by the rack-rents which they will have been able to exact. A few years ago the Municipality of Liverpool owned 5,200 houses which were let on lease.

*MR. LAWSON: Perpetually renewable.

MR. MATTHEWS: That is not my information. Well, under this Bill those houses, upon which much money has been expended, would be enfranchised, and the unearned increment would be lost to the ratepayers. Many leases in many parts of the country belong to Insurance Companies. What public object, I should like to ask, would be served by enabling such companies to enfranchise? Our system of land tenure is a large and complicated system, and by this Bill it is proposed to rush imprudently and inconsiderately into its midst, and, as with an axe, to cut at its roots without discrimination. The hon. Member for St. Austell (Mr. W. McArthur) says there are men in Cornwall who cannot get land on such good terms as they could wish. I should like to know what ground is that for destroying the property of the ratepayers of Liverpool and Birmingham. I am really at a loss to understand how the hon. Member can for such reasons support such a measure. The compulsion which it is proposed to exercise is not for the benefit of the public, but for the benefit of a limited class, which, in the great majority of cases, has no special merits, many leaseholders having put nothing upon the land, but being simply there by the accident of the contract which the House is now asked to enable them to break. For these reasons, I trust the House will reject both the Bill and the Amendment of the hon. Member opposite.

*(4.55.) Mr. LEWIS FRY (Bristol, N.): As Chairman of the Town Holdings Committee, to which so many references have been made, I may be allowed a few minutes in this discussion. I should not oppose any Bill of this character upon the general ground that it would interfere with the rights of property; for I hold that a community may take property, giving compensation, if its interests require that it should do so. But before agreeing to a Bill which interferes with the private rights of persons in property of the value of hundreds of millions of pounds, I think we are justified in inquiring whether any considerable and substantial benefit will accrue to the community; and from the experience which I have gained in the Committee upstairs, I am disposed to think that the benefits which the supporters of this Bill suppose it will cause are, to say the least, very much exaggerated. One argument repeatedly brought forward in favour of leasehold enfranchisement is the contention that the leasehold system encourages bad building; but that contention is not borne out in the judgment of the Town Holdings Committee, who have declared that the tenure of houses has very little to do with the character of the buildings. We had a large number of witnesses; and though the hon. Member for Finsbury has somewhat depreciated the character of the evidence given by professional witnesses, I think we ought to value that evidence as coming from men thoroughly acquainted with the matters upon which they were speaking. Mr. Martin, an experienced surveyor, examined before the Committee, stated that he had surveyed 1,250 houses in London, 720 of them being freehold and 530 leasehold, and that he found no difference whatever in the character of the buildings. In my own town—Bristol—where the houses are mainly held on freehold tenure, upon a comparison between the houses built upon leasehold tenure on the one hand, and those built upon the perpetual tenure of fee-farm rents on the other, no difference of structure can be observed. I therefore do not think that the tenure of a house affects the character of a building. Of course, I do not refer to cases where the leases are of very short duration, and leases of less than 50 years would no doubt exercise an unfavourable effect on the character of the houses. I next ask whether this Bill would confer a benefit on the working classes. The hon. Member for North Islington has shown that the vast majority of the working classes in our large towns hold their dwellings upon yearly, monthly, or weekly tenure, and are not owners of leasehold property within the scope of the Bill of my hon. Friend. Therefore this Bill, as regards its effect in London and other large towns, must be looked upon as a middleman's Bill, and as such it will confer no benefit upon the working classes. It is also extremely doubtful whether any considerable number of leaseholders would be prepared to take advantage of the powers proposed to be conferred upon them. The evidence taken before the Committee shows clearly that it is quite an exceptional thing for ground-rents to be purchased by leaseholders. It was proved that on property in which the right hon. Gentleman below me (Mr. Heneage) is interested the freehold of their houses was offered to a large number of lessees upon fair terms, and that only an inconsiderable number of them availed themselves of the opportunity — in fact, only 32 out of 1,000. The same thing was shown to have occurred on Lord St. Levan's property. The benefits which the Bill would confer are therefore, to say the least, problematic, and there are certain positive objections to it of a very substantial character. It would, for instance, injure Corporations and charities by depriving them of the future increment in the value of their estates. That, I hold, would be a detriment to the public interests, and would confer no compensating benefit on the class the Bill is supposed to benefit. I also think it would be an unfair thing to confer upon one party to a bargain the power to acquire at any time, a time most convenient to himself and

most inconvenient to the other party concerned, the whole interest of the latter, and that for his private benefit. I do not think there is any precedent for such legislation, and I am sure that no prudent owner would think of conferring such power on a lessee? But whilst I hold these views, and cannot, therefore, support the Bill, I am of opinion that in certain circumstances it would be advantageous to enable working men to obtain the freehold of their dwellings if they should desire to do so. In some localities a considerable number of working men would probably exercise the privilege, for there are places where the present system is felt to be very unjust. This is specially the case in places like the mining and quarrying districts in Cornwall and Wales, where the working men have erected the buildings at their own cost. I refer particularly to such cases as those which have attracted much attention at Festiniog, at Bethesda, and at Llanberis. I see no reason why we should not confer upon Local Authorities powers to carry out the enfranchisement of leaseholds in such cases. The scheme of the Bill could not be carried out without great and unfair disturbance of property; but I see no reason why, without incurring that evil, we should not be able to give some relief from the mischiefs and hardships of the present system. I do not know whether I shall have an opportunity of taking the opinion of the House on the Amendment which I have placed on the Paper. That Amendment embodies the unanimous opinion of the Town Holdings Committee as to the direction in which the existing system should be improved, by conferring upon Local Authorities powers to carry into effect schemes of leasehold enfranchisement in places where the general interest of the community might be thereby promoted. Such a plan would almost entirely avoid the great injustice which the Bill as it now stands would inflict upon the holders of ground values. Instead of having their property pulled to pieces bit by bit at the will and pleasure of the lessees, only the Local Authority could deal with it and purchase it once for all. I am disposed to think that the Amendment I propose to move contains within it the mode by which the evils of the leasehold system may be abated without giving rise to those other evils to which I have referred.

(5.12.) COLONEL HUGHES (Woolwich): I am very much suprised at what I must call the unsympathetic remarks of the Home Secretary. I certainly did think that when he admitted that there were some landlords who acted so that they were enemies of their own class, and certainly of the class of leaseholders with whom they deal, and that this Bill would benefit these tenants—I certainly did think that the object of the Bill would have some sympathy. I think it was, perhaps, an omission on his part that we did not have some expression of that kind. Many hon. Members have said that the object of the Bill has their sympathy, and it seems to me a very strange thing that it should be considered a fair and just thing to enfranchise leaseholders in Ireland, and turn them into owners with the assistance of money provided by the State, while in England leaseholders should not be allowed to enfranchise their holdings with their own money. Surely, when we have adopted a policy of encouraging thrift among the working classes by various means—by national assurance, by savings banks, and in other ways—the purchase of their dwellings is another useful step in that direction. When the rights of property are spoken of, it seems to be forgotten that the Bill does not propose to interfere with those rights without the fullest compensation. In many places there is a monopoly or "corner" in land which is detrimental to the community in which it exists. I have known cases where men, having created the goodwill of a business upon leasehold premises, have been ruined by the exorbitant terms exacted by the landlord on a renewal of the lease. The tenants in such cases are obliged to accept the terms imposed, or be turned out and lose the goodwill of their business. These are cases that frequently arise, and when they arise in connection with dwellings built by the leaseholder the latter has, I think, the first claim on our consideration. There should be some means of referring disputes in such cases to fair arbitration. The feeling in favour of legislation in the direction of the enfranchisement of leaseholds has been steadily growing in the country for many years. In 1884 the noble Lord the Member for South Paddington introduced a Bill for dealing with the matter in the metropolitan and urban districts providing for leaseholds under £50 valuation assessment under the Lands Clauses Act, with 10 per cent. addition for compulsory sale; in fact, adopting the terms applied to Railway Companies when they come through a property. In 1885 the hon. Member for West Notts proposed a measure in which he did not advocate compulsory sale, and did not limit it to Metropolitan and Urban Authorities. In 1885 a former Member for Marylebone (Mr. Grant) proposed a Bill to enable leaseholders to purchase ground rents at 25 years' purchase, applying this to future leases—a good idea, which met with considerable favour even from opponents of the present measure, and something like this is adopted by the Duke of Devonshire on his property at Eastbourne. Then my own Bill in 1887 contained a novel feature, permitting the freeholder, if he desired it, to leave the purchase money as a rent-charge on the property. Objection was taken at the time to leasehold enfranchisement, because it was said what are the freeholders to do with the large amount of money forced into their hands; and it occurred to me that, if the freeholder did not want the money, he should be allowed to leave it a valuable and saleable rent-charge. Further, I limited the operation of the Bill to those cases where the ground rent did not exceed half the annual value. I treated the freeholder and lessee as in a partnership, giving the partner holding the largest share in the concern the right to buy out the interest of his partner. There should be no difficulty in conducting such a transaction on fair terms. The Bill now before the House adopts the principle of the rent-charge, but departs in an important particular from the plan I advocated. The present Bill says that a perpetual rent-charge shall be allowed in lieu of purchase money if the lessee chooses; but as I put it, and I think in a fairer way, it is the freeholder who should have the option of cash down or a perpetual rent-charge. I do not want now to enter into this; but I may say that recent legislation in regard to tithes, where a similar principle has been applied without damage to the owner, offers a precedent for so dealing with this question in the interest of the working classes and tradesmen and without damage to the freeholder. Certainly I think there ought to be a right of appeal to the County Council to settle disputes. I believe the feeling in favour of some measure of leasehold enfranchisement is growing in the country, and I give a general support to the principle of enfranchisement, without pledging myself absolutely to all the details of the Bill. I think the freeholders will be very ill-advised if they too readily reject all proposals made on behalf of the leaseholders. By insisting on their absolute rights the freeholders will be bringing about an agitation in later days which will result in less advantageous terms being offered than are now offered now. It is advisable, in the interests of the State and of the Conservative Party, that there should be a large number of leaseholders in the country, and, so far as its principle goes, I support the Second Reading of the Bill.

(5.23.) SIR H. DAVEY (Stockton): Before we go to a Division, I just wish to mention the grounds upon which I shall vote for the Bill, and subject to which I give my vote. I propose to vote for the Second Reading, because I believe that the Bill expresses a sound principle when applied within proper limits. The principle of leasehold enfranchisement, as it is inaccurately called, ought to be applied, at any rate in the first instance, only to beneficial leases—to building leases held upon ground rents. By these I mean leases in which the ground is let, free from buildings, for a long term of years, at a rent which is supposed to represent, and does more or less correctly represent, the value of the ground alone, and where buildings have been erected at the expense of the lessee. In these cases the value of the property at the end of the lease is mainly due to the exertions and expenditure of the lessee; and here the principle of what is called leasehold enfranchisement is justly applicable, and it is for the benefit of the community that the principle should be applied. But I am bound to say that the Bill before the House carries the principle further than I shall be prepared to go, and the Bill will require considerable amendment when it gets into Committee should it pass the present stage. I may mention what I think has already been referred to, namely, that the Bill is confined to the lessee, and appears to exclude the assignee of a lease from the benefits. I shall vote for the Second Reading, but I desire my hon. Friend who brought in the Bill to understand the condition subject to which my vote will be given.

*(5.26.) MR. WEBSTER: I should like to make one or two observations as to the Amendment. I agree with the remarks that fell from the Home Secretary that this is a very curious Memorandum attached to the Bill. It is grossly inaccurate. [*Interruption.*] In all the great improvements made in London—for instance, when, at the expense of the ratepayers, Bedfordbury, one of the worst slums of London, had to be swept away—the houses were not held under a leasehold tenure but a freehold one. And there is no evidence of any form or shape to show that overcrowding is caused by leaseholds. London is increasing by leaps and bounds, and the argument set forth in this Memorandum, that the present system of leasehold tenure for 99 years causes overcrowding, is inaccurate. The reverse is the case; if anything, it encourages too much building.

(5.27.) Mr. MUNRO FERGUSON rose in his place, and claimed to move "That the Question be now put;" but Mr. SPEAKER withheld his assent, and declined then to put that Question.

Debate resumed.

*MR. WEBSTER: I intend to vote against the Bill, which seems to me drawn in the interests of the small building contractors, and not in the interests of the tenants. I should not oppose a good and useful Bill for leasehold enfranchisement. But the hon. Members for Finsbury and West St. Pancras do not agree in their reasons for supporting the Bill. The former, who is always posing as a friend of the working classes in this House, as if he had any monopoly in regard to that, says it is a measure for the benefit of the working classes, whilst the hon. Member for West St. Pancras claims it is a Bill to benefit the lower middle class. It seems to me that it is a Bill which will, if passed, benefit neither the one nor the other. It will unsettle the relations of all who are interested in house property, whether landlord or tenant; it will destroy confidence in property; it will injure the Friendly Societies, who are large holders of ground rents—such societies as the Foresters, Oddfellows, &c. It will benefit no one but the middleman, the jerry builder, and, probably, the money lender. The houses will be worse built, no provisions are given by compensation for severance of properties, and this is the first time that equitable provision has been omitted in any Bill. If, in your opinion, for the public good, you forcibly make a man give up his property, you should fairly compensate him, otherwise you are committing an act of legalised robbery.

(5.28.) Mr. JAMES ROWLANDS rose in his place, and claimed to move "That the Question be now put;" but Mr. SPEAKER withheld his assent, and declined then to put that Question.

Mr. LAWSON rose in his place, and claimed to move "That the Question be now put;" but Mr. SPEAKER withheld his assent, and declined then to put that Question.

Debate resumed.

*MR. WEBSTER: The present Bill is a bad Bill, and badly drafted, and if I am in order I beg to move that it be read a second time this day six months.

Question put, "That the words proposed to be left out stand part of the Question."

(5.30.) The House divided:—Ayes 314; Noes 39.—(Div. List, No. 160.)

Main Question put, "That the Bill be now read a second time."

(5.50.) The House divided: — Ayes 168; Noes 181.—(Div. List, No. 161.)

It being Six of the clock, Mr. SPEAKER adjourned the House without Question put till To-morrow.

House adjourned at Six o'clock.

HOUSE OF LORDS,

Thursday, 30th April, 1891.

TRUSTS AMENDMENT (SCOTLAND) BILL.

Brought from the Commons; Read 1ª, and to be printed.—(No. 108.)

ARMY SCHOOLS BILL.—(No. 83.)

THIRD READING.

Order of the Day for the Third Reading, read.

*LORD NORTON: My Lords, I merely wish to call your attention to the fact that in this little Bill—and I may point out to your Lordships that there are an unusual number of little Bills of one or two clauses this Session—it has been found necessary to have a definition clause showing what the object of the Bill is. I called your Lordships' attention to the absence of definition in a similar Bill last week, when it seemed to be considered that there is no necessity to define the object.

Read 3ª (according to order), and passed.

CHARITIES (RECOVERY) BILL. (No. 84.)

Amendment reported (according to order); and Bill to be read 3ª to-morrow.

MERCHANDISE MARKS BILL. (No. 86.)

Read 3ª (according to order), and passed.

LONDON (CITY) TRIAL OF CIVIL CAUSES BILL.—(No. 103.)

THIRD READING.

Order of the Day for the Third Reading, read.

*LORD COLERIDGE: Will your Lordships permit me to say a few words upon this Bill? They are not exactly out of order, if somewhat out of time. Had I known that my noble and learned Friend to my left was going to make some observations on this Bill the other day when it was last before the House, I should certainly have made it my business to be present; but I did not know it, and therefore was not here. I should, therefore, be glad, with your Lordships' permission, to say a few words in order to explain the position of affairs as far as I am concerned. The noble and learned Lord on the Woolsack was good enough to consult me about this matter, and he told me that he had received from different persons applications for a change in the direction proposed by this Bill; that it was thought a desirable thing that causes arising in the City of London should again, as formerly, be tried in the City of London; that the present state of the law providing for the trial of these, like other causes in the Royal Courts of Justice, should be amended; and that it should be possible again to send these causes for trial at Guildhall. Personally, I do not much believe that the change which the Bill effects would have the result which is anticipated of bringing back mercantile causes to the Law Courts. So far as this business has passed from the Law Courts—which undoubtedly it has to some extent—I believe it has done so from causes not touched or affected in any manner by the Bill. I believe it has passed away because the mercantile community desire to have their cases rapidly, well, and inexpensively decided by persons acquainted with the subject-matter—in whom they have trust, and who discharge their duty, an onerous and difficult duty—of dealing with these large interests, as a whole, in a manner satisfactory to the mercantile community. I, myself, do not think, as the mercantile causes did not, in my judgment, leave the Law Courts from any causes which this Bill will affect, the mere change of the place of trial will make much change as to the subject itself, but, at the same time, I am bound to admit that other persons, as competent to judge of the matter as myself, do not share my view, and are of a different opinion. Many eminent Judges, upon being consulted, intimated to me that on their part they had not the least objection, and as, on my own part personally, my objections were not worth pressing, I said, when I was consulted in regard to the Bill, that, as far as I was concerned, I would not stand in the way for a moment, and that if it was thought any good would come of taking the causes back to Guildhall, I would lend the proposed scheme all the assistance I could as an experiment. My noble and learned Friend will permit me to remind him that if at the end of the year nothing has happened to change the position, and matters still remain very much as they are now, he must allow me the privilege which is generally, I believe, accorded to the other sex, of saying "I told you so." But, subject to that belief on my part, I certainly did not wish to interfere with the plan which my noble and learned Friend on the Woolsack proposed, and which he is entirely entitled to the credit of carrying into effect. There is one other matter which I desire to speak of. According to the reports which I have seen in the newspapers, which my noble and learned Friend says are not quite accurate, he is reported to have spoken the other day of the block of business in the Law Courts in the Strand. I can only speak as the representative of the Queen's Bench Division. As to the Chancery and Probate Divisions and the Court of Appeal, I do not pretend to possess any special information, and, not having any information, it would ill become me to express any opinion on the matter; but with respect to the Queen's Bench Division, I am in possession of facts which enable me to state to your Lordships that no such block exists as is supposed, and as, when questions have been put elsewhere on the matter, has, I think, in the speeches of right hon. Gentlemen, been too much assumed. The position of matters in the Queen's Bench Division is easily stated: there is absolutely no block of business. Speaking for my own Court, I may say that I was obliged the other day to stop a particular class of business because there was no business to do, and I believe we shall easily finish the business now remaining before the sittings are over. There are, it is true, at the present time about 1,000 cases at *nisi prius* standing for trial, but to simply look at that figure does not lead to any correct conclusion upon the the facts. I ought to tell your Lordships that, as anyone acquainted with the subject will know, it is not fair and not correct simply to look at the number of cases standing for trial. The only way of properly testing the state of affairs is to find out the time which elapses between the setting down for hearing and the actual trial of cases. The non-jury cases, which have largely increased of late, are at present more in arrear than any others; but even they are not four months behind, and the Middlesex jury cases are little more than three months behind. This state of things I do not think can be rightly described as arrears. I do not myself think if a man puts his case down, and it is tried within 9 or 10 weeks from the time it was put down, that can be called anything like, substantially, being in arrear. Another matter which may perhaps interest your Lordships is this: People talk about there being 1,000 causes standing for trial, but they do not all come on for hearing. I have information here, which is at the service of any noble Lord who takes an interest in the matter, ranging back over a period of 40 years, which enables me to state to your Lordships that upon a fair computation a list of 1,000 causes standing for trial has represented for the whole of that time down to the present moment only 500 causes that are tried. The same thing happened in the old Courts at Westminster and at Guildhall as is now the case in the Royal Courts of Justice—they do not have to dispose of more than half the causes which stand for trial. Practically speaking, of the London causes those that are set down are tried during the same sittings, and with them, while there is no arrear, the rule obtains almost absolutely which I have mentioned as occurring in other cases—that only half of them come to trial. I mention that to show that it is not from despair of getting them tried that mercantile cases have, to some extent, left the Courts, for those cases which have only recently been set down are just as likely to be withdrawn as those which have been set down previously. So steady is the rule that only half the cases come on for hearing that the Treasury some years ago made an arrangement in respect of fees on the footing that only half the causes set down are tried. That arrangement has been found to work on that basis, and has been going on now for a considerable number of years as between the Treasury and the officers of the Law Courts. My Lords, I beg, therefore, to say that it is an entire mistake to suppose there is this supposed block in the Law Courts. It does not exist; and even in the present state of things, the interval of three months, which now elapses between the setting down and the trial of causes, would not exist but for reasons over which nobody could possibly have had any control, and which may, or may not, recur—I mean the long and serious illness of two Judges within the last two years, and the withdrawal by Parliament itself for a year and a half of two of the most vigorous and active Judges of the Queen's Bench from their ordinary duties to form a tribunal for the trial of a very important political dispute. Such occurrences, of course, do diminish the force for the time at the disposal of the Courts very much; but those causes have now been removed. I may mention that, as my noble and learned Friend knows, so completely are we masters of the business in the Queen's Bench Division—so well forward is our work there during the last 10 days, I have offered him, and he has accepted, the services of two of the Judges of the Queen's Bench Division—one to sit in Chancery and the other in Probate. I think, therefore, I am entitled to say that, so far as the division which I have the honour to be connected with is concerned, it does its work properly and well and to the satisfaction of the suitors.

Lord ESHER: My Lords, I think I ought to say, with regard to the Bill which is at present before the House, that from the moment the effect of the change made in transferring the trial of the great mercantile causes from the City to the New Law Courts began to develop itself, I have been pressed by a large number of people in the City, whose opinion on the matter I have always considered to be of great weight, both professional (speaking in a legal sense) and unprofessional people—professional lawyers and unprofessional merchants—to endeavour to get the trials of the great mercantile causes sent back to the City, on the ground of the inconvenience which they found in the trial of those causes at the Royal Courts of Justice, both from the distance they had to go when their cases were actually coming on and from the time they were unavoidably kept with their witnesses, most of them being mercantile men in almost every instance, waiting at the Royal Courts of Justice away from their offices and business. It was unavoidable. Whereas formerly, under the old system, their offices being close round the Guildhall, when their cases were called on, they could have messengers sent to them, and could go there immediately for the trial of their own cases. More than that; they have always told me, and I have always considered, that the mercantile community had great faith in the tribunals which they obtained at Guildhall, the juries being composed of mercantile men who perfectly understood the business sent for trial. It is true that such juries are to be obtained also at the Royal Courts of Justice, but there you have, in addition to the inconvenience to the suitors themselves, the fact that the mercantile men whom they would like to have for jurymen are obliged to be at the Royal Courts of Justice, and are kept waiting there at a distance from their offices for the case to come on, at the trial of which they will be called upon to act as jurors. I am told that the result has been not only that mercantile causes from the City have been largely withdrawn from the Royal Courts of Justice, but that a new trade or business has arisen—the profession or calling of paid arbitrators, so that where those mercantile suitors would no doubt prefer to be in the position, and should be in a position, to have their causes tried by the Judges who are paid by the country and in the ordinary administration of justice by the Courts, the mercantile community are paying for Judges of their own, and are employing these arbitrators. Some people seem to think that an arbitrator constitutes a better tribunal than an ordinary Judge and jury; but let those who please think so; I am strongly of the other opinion. I have had now, I am sorry to say, 30 or 40 years' experience, and I have formed a very strong opinion that that is not true. I believe a far safer and better tribunal is to be found in a Judge of the land, and a jury, doing their work well and efficiently in a Court where the public can have their causes tried rapidly. But what signifies that if it entails really enormous inconvenience on the suitors and witnesses? This Bill, as I have told your Lordships, and as my noble and learned Friend on the Woolsack has told you, is introduced at the request of the merchants of the City of London. I have myself been requested to try and get these cases sent back to the City for trial, and, therefore, I have constantly pressed, not only the noble Lord who at present occupies the Woolsack, but every Lord Chancellor I have known, to endeavour to get for the merchants of the City of London that return to the old system which they desire.

Lord HERSCHELL: My Lords, I have, of course, no objection to this experiment being tried. But I would remind your Lordships that what I have called attention to was the fact that the present state of things was established by enactment as the result of an inquiry by Royal Commission, which after inquiry reported on the advantages of concentrating all trials under one roof. This measure, of course, is a departure from that system; and it certainly struck me, when you have so important a departure from a policy arrived at after inquiry by a Royal Commission, and upon their Report, that it was desirable to have what I may call some public grounds—that is, grounds which could be shown to be urged and appreciated by the public—for making such a change. That was all I was desirous of calling attention to, and my noble and learned Friends have stated the requests they have received from those who they state have had experience in the trial of City causes. My noble and learned Friend (Lord Esher) has just given your Lordships his own experience in favour of this Bill. On the other hand, I have received information from those who have been in the habit of conducting these causes at Guildhall. I mean solicitors of experience, who take the entirely opposite view, and who do not think the change proposed would be of any advantage, or that the transfer of all trials to the Royal Courts has had anything to do with the diminution of these causes. It is, of course, for your Lordships to decide. You have the opinions on the one side and the other. For my own part, I may be allowed to say that I have no objection to the experiment being tried in order to see what the result may be. My own impression is that it will turn out that it has not really been the cause of the preference of suitors in the City for their particular tribunals of arbitration in lieu of the Courts, but some light will, no doubt, be thrown on that point by the trial of this experiment.

Lord DENMAN: My Lords, having noticed the course of business between the City and the West End, I may be allowed to remark that the great preponderance has always been in the City of London. I find that in 1832 there were in the King's Bench 700 London causes for trial, and 500 for Middlesex. The great convenience of having Courts near the offices and counting-houses of suitors and jurors is not to be over-rated. The effect of this Bill will be to afford great convenience to the general public. I think the 1,000 causes which have been spoken of had much better have been brought in three separate sets of Courts, as under the former system; but there are now only a number of Courts of Queen's Bench, I am sorry to say. You have now Courts No. 1, No. 2, and so on; causes are transferred from one Court to another, and nobody knows when his cause will come on, or where. It was a great mistake to abolish the old Courts of Common Pleas and Exchequer. An advantage, it was supposed, would result from having all trials in one place, so that the counsel engaged in cases could attend; but there are generally two counsel in a case, and if the leader is away, the junior has an opportunity of distinguishing himself and doing full justice to any cause. I earnestly hope this Bill may pass, and that the experiment may prove successful. I think the change will be found to work well, and that no inconvenience can result.

The LORD CHANCELLOR: My Lords, I should have desired to say no more on this matter, but I must correct a misapprehension on the part of my noble Friend the Lord Chief Justice as to what I said. I did not say there was a block in those Courts which he represents, but in some others there has been a block, though there are perhaps circumstances in the modern administration of justice which he has not given sufficient weight to, when he goes back over a very long period of years for the purpose of establishing a sort of canon of how causes are tried. In the first place, the new procedure under the Judicature

Acts has had certain results. Order 14 has had the effect of striking out a great many cases which are not to be tried now, and the procedure that goes on in Chambers practically reduces the list of causes to be tried. I quite agree with my noble and learned Friend they are not all tried, as was also the case in former times, but the proportion in modern days is a little higher than he supposes. There is one more circumstance which must be borne in mind in considering the period over which causes last. Within his memory I am sure, and in mine too, I am sorry to say, there were such things known as "short" causes. Parties were not capable of being called as witnesses as they are now, and by witnesses being called on both sides naturally cases are made twice as long as they used to be. Though there is no desire to prolong causes, the result is that there is a larger proportion of really effective causes in the list than there used to be formerly. Then, on the other hand, there are undefended causes which, though they occupy a place in the list are, of course, practically not defended. Now, I very much doubt taking these causes over the long period of 40 years which my noble and learned Friend has referred to, whether you would find the result to be the same. I have only spoken, of course, in reference to possible future events, and not with reference to anything my noble and learned Friend has said, because what he said was, it appears to me, in regard to this Bill being in the highest degree satisfactory, and he expressed his opinion that we should all rejoice at it. With respect to the only criticism made by my noble and learned Friend Lord Herschell, I would only observe that what the Master of the Rolls has said I think entirely justifies me in endeavouring to meet an acknowledged inconvenience by trying this experiment. The noble and learned Lord Chief Justice has been good enough to tell your Lordships that he reserves his right in case he should be in a position hereafter to say, "I told you so." If that should be the case, the experiment can be discontinued. I will not be tempted to retort upon him that if it be successful, as I trust it will be, I shall be in a position to say, "I told him so." But in any event the experiment will be tried. One may anticipate the possibility of failure on either side to some extent, but I only hope the public will be benefited by bringing the administration of justice nearer to our great commercial centre.

*Lord COLERIDGE: I only desire to add a few words to explain that when I spoke of assistance being rendered from the Queen's Bench to the other Divisions, I referred simply to a present emergency.

On Question, agreed to; Bill read 3ª accordingly, and passed.

House adjourned at five minutes before Five o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 30th April, 1891.

QUESTIONS.

THE INDIAN STAFF CORPS.

Sir G. CAMPBELL (Kirkcaldy, &c.): I beg to ask the Under Secretary of State for India if it is the case that it has been decided to alter the mode of appointment of Officers to the Indian Staff Corps; and, if so, what is to be the new system; (2) whether such Officers are to be taken from the British Army or appointed direct; and (3) whether they are to be educated at any Military College?

*The UNDER SECRETARY of STATE for INDIA (Sir J. Gorst, Chatham): The answer to the first question of the hon. Member is, Yes; in accordance with the Army Order of the 9th of March, 1891. The answer to the second question is, that they will be appointed direct from Sandhurst to the unattached list of the British Army. The answer to the third question is, Yes.

Sir G. CAMPBELL: Do I understand the right hon. Gentleman to mean by "unattached" that they will not be attached to any regiment?

*Sir J. GORST: I am not a military man, but I believe that that is so.

THE INDIAN FACTORY ACT.

SIR G. CAMPBELL: I beg to ask the Under Secretary of State for India if he will now produce the further Correspondence regarding the new Indian Factory Act?

*SIR J. GORST: The Papers will be presented if the hon. Member will move for them.

CONSTRUCTION OF INDIAN RAILWAYS.

SIR G. CAMPBELL: I beg to ask the Under Secretary of State for India if the Secretary of State has lately entertained, or is now entertaining, any projects for construction of Railways by Companies with a Government guarantee?

*SIR J. GORST: Yes, Sir.

THE WELSH CENSUS.

MR. STANLEY LEIGHTON (Shropshire, Oswestry): I beg to ask the President of the Local Government Board whether he is aware that immediately before the Census was taken at Machynlleth, in the County of Montgomery, a proclamation was made by the town crier urging the inhabitants to declare themselves Welshmen, that is to say, to return themselves as understanding the Celtic language only; whether he can inform the House who were the parties responsible for this proclamation; and if he can state in how many schedules, including how many individuals, the enumerators were obliged to correct the Census papers, on account of persons having, through ignorance or design, wrongly described themselves as monoglot Celts?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. Ritchie, Tower Hamlets, St. George's): I learn from the Registrar General that the Superintendent Registrar of Machynlleth reports that immediately before the Census day the town crier at Machynlleth made a proclamation in Welsh, of which the following is a translation of the material part:—

> "Take notice.—The Census. Inasmuch as the Government permits all persons to have the schedules in Welsh, and there being a special opportunity in connection with the matter on the present occasion for every Welshman and every Welshwoman through the town, who can fill up the paper in Welsh to do so. Another similar opportunity will not be offered for ten years. Remember our country, our language, our nation."

I have no information as to the person responsible for the notice. The Registrar General has had the number of schedules counted which the enumerators in the township found it necessary, under the provisions of Section 6 of the Census Act, and in accordance with the Regulations to alter, at the time of collection, on account of persons having described themselves as monoglot Celts, whereas it was within the knowledge of the enumerators that they could speak both Welsh and English. The Registrar General finds that the number of schedules altered by substituting the word "both" for "Welsh" was 57, including 284 persons.

MR. ARTHUR WILLIAMS (Glamorgan, S.): I beg to ask the President of the Local Government Board whether he is aware that only 200 Welsh schedules were supplied for distribution in the parishes of Barry, Cadoxton, Merthyr, Dovan, Sully, St. Andrew, Wenvoe, St. Nicholas, Porthkerry, Llancarfan, Peterstone super Ely, Penmark, Bonvilstone, St. Lythans, and other adjoining parishes in the County of Glamorgan, though the population of these parishes is at least 50,000, of which fully 20 per cent. are monoglot Welsh people; whether he is aware that not a single Welsh schedule was given to several enumerators for distribution, and that, when Welsh schedules were asked for by heads of families, the reply which the enumerators in many cases were instructed to give was that the entries could be given in Welsh in the English Census Paper; and whether he can take any steps to remedy the omissions complained of?

*MR. RITCHIE: I have communicated with the Registrar General, and he states as follows:—The parishes mentioned in the question appear to be within the district of Cardiff, which is sub-divided into three sub-districts. Each of the three Registrars was called upon to estimate how many schedules printed in the Welsh language he would require for the use of householders, and to each Registrar was sent some 25 per cent. more than the number asked for. For the whole district some 500 schedules in the Welsh language were sent, and the Registrars assure me that the supply was more than ample to meet the legitimate requirements of those who could only fill up the schedules in Welsh, for whom alone it must be borne in mind the Welsh schedules were printed. A very much larger number of Welsh schedules were issued in 1891 than in 1881. But it having been recommended by certain societies, by ministers and others, that all Welshmen and Welshwomen should demand Welsh schedules, the supply naturally fell short, and schedules in English had to be issued, as they had always been used in previous Censuses. But no omissions were made on that account—the people in the places referred to were closely enumerated, and no action is necessary. Of this, I have satisfied myself by careful inquiry; and wherever in Wales any omission has been proved I have insisted on a re-enumeration. The books and papers are now sent in, and I cannot institute further inquiry. I may mention that the extraordinary desire this time amongst the Welsh people to fill up their schedules in Welsh has given an enormous amount of trouble to this Department, as every schedule filled up in Welsh has to be translated into English. And the filling up the schedule in Welsh has really no bearing on the great question of the number of Welsh-speaking people, as that can be as easily ascertained by a schedule in English with a language column.

MR. ARTHUR WILLIAMS: May I ask the right hon. Gentleman how it is that the Registrar General considered it of no importance that Welsh schedules should be delivered, and that those who claimed to be monoglot Welsh people should not have been afforded the opportunity of filling up a Welsh schedule?

*MR. RITCHIE: There can be no doubt of the fact that an enormous number of the schedules issued were filled up in Welsh by people who speak and know both languages. In many instances the Welsh schedule was demanded by persons who understood both languages. For the purposes of the Census, the great object was to give to each person a schedule in which he or she was able to fill up the questions; and the way in which the schedules have been filled up shows that no injustice has been done.

MR. ARTHUR WILLIAMS: Is the right hon. Gentleman aware that a large number of Welsh people who can colloquially make themselves understood in English are utterly unable to read it, and are only so imperfectly acquainted with that language when written or printed that they have been greatly embarrassed by the English Census paper?

*MR. RITCHIE: I am not able to answer that question; but the information I have received does not bear out the suggestion conveyed by the hon. Member. All the householders filled up their schedules, and stated whether they speak one language or two. It is, therefore, quite immaterial whether they filled up a Welsh or an English schedule.

CHARGE AGAINST A POLICE CONSTABLE.

MR. W. BOWEN ROWLANDS (Cardiganshire): I beg to ask the Secretary of State for the Home Department whether he is aware that a coachman named Alexander Nicholl applied to Mr. Partridge, on the 7th of March last, for a summons against police constable No. 5495 for an assault, alleged to have been committed on him without justification or excuse, on the evening of 5th March; whether Mr. Partridge is correctly reported to have declined to grant the summons unless the applicant obtained the consent of the Inspector of Police; whether the rights of individuals in obtaining summonses are different in the case of private persons and of police constables; and whether it is legal for Magistrates to make the consent of a superior police officer a condition precedent to the grant of a summons against a subordinate constable; if so, whether he will consider the matter with a view to an alteration of the law, so as to do away with such a condition, and to make the rights of parties applying for summonses against constables identical with those applying for summonses against private persons?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed by the learned Magistrate that it is not the fact that he refused to grant a summons in this case, unless the applicant obtained the consent of the Inspector of Police. The statement of the applicant failed to satisfy the Magistrate that there had been any assault; nevertheless, in order that all the facts might be more clearly laid before him, the Magistrate suggested that the applicant should lay his case before the Inspector of the district, and then renew his application for a summons, if he desired to do so. The answer to the third paragraph is in the negative. The consent of the Inspector was not made a condition precedent to the granting of a summons.

H.M.S. *SULTAN.*

SIR U. KAY-SHUTTLEWORTH (Lancashire, Clitheroe): I beg to ask the First Lord of the Admiralty, in reference to the expenditure, in the year 1889, of £51,175 in raising Her Majesty's Ship *Sultan*, and of £11,496 in fitting her for the voyage home, set forth on p. 148 of the Navy Appropriation Account, whether any steps have been taken, since the ship reached this country, to prepare her for use as an effective man-of-war; why no provision has been made in this year's Estimates for that purpose; and whether any expenditure is contemplated; and, if not, what are the intentions of the Admiralty with regard to this ship?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): No steps have been taken to prepare the *Sultan* for use as an effective man-of-war beyond a careful examination of her condition and a rough estimate of the cost of refitting the ship. This work will not be undertaken until the vessels now under re-construction and re-fit are more advanced or completed.

FOREIGN LOTTERIES.

SIR G. CAMPBELL: I beg to ask the Secretary of State for the Home Department if his attention has been called to the circulation of foreign lottery and gambling advertisements in this country through the post; whether such a circulation is lawful or unlawful, and, in particular, whether the advertisement of the "New Great Money Lottery, guaranteed by the Government of the State of Hamburg (Germany)," is lawful and is permitted; and whether the advertisement in English newspapers of gambling transactions, such as the "odds" on horse races, is lawful and permitted?

MR. MATTHEWS: I am advised that the printing or publishing in this country of advertisements of foreign lotteries is illegal, but not the transmission of these lottery papers through the Post Office, and legislation would be necessary to enable the authorities of the Post Office to detain such papers. For the law with regard to sporting advertisements I must refer the hon. Member to the case of "Cox *v.* Andrews," which was decided in the Queen's Bench Division on December 12, 1883.

INCOME TAX.

MR. FELLOWES (Huntingdonshire, Ramsey): I beg to ask the Chancellor of the Exchequer whether a farmer, having paid Income Tax under Schedule B, should also be called upon to pay a tax under Schedule D on the profits arising from horses bred on and sold off the farm?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The answer to this question is, No. For Income Tax purposes it is immaterial whether a farmer breeds horses, cattle, or sheep, provided the land will carry the stock placed upon it. If the occupation of land is made subsidiary to the business of dealing in live stock, the assessment under Schedule B will not exhaust the occupier's liability to Income Tax. What the further liability may be is a question of fact to be determined by the District Commissioners.

EXPERIMENTS UPON ANIMALS.

MR. S. SMITH (Flintshire): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the experiments with phthisical sputum reported by Mr. Watson Cheyne in the *British Medical Journal* of the 11th of April, involving the boring of holes into the knee joints of living rabbits; and whether the Home Office produces a Report of such experiments; if so, does this Report show whether Mr. Watson Cheyne held a certificate dispensing him from the use of anæsthetics in the performance of such experiments; whether the holes were bored into the legs of the animals while they were sensitive to pain; and how long their joints were allowed to inflame and swell through the action of the diseased material stated to have been injected?

Mr. MATTHEWS: Yes, Sir; I have seen the report of these experiments in the journal referred to. They were made in the years 1887 and 1888, and a summary of them appears in the Annual Report of the Inspector presented to Parliament for those years under Table 3. From that Table it appears that they were under Certificate A, which authorises experiments without anæsthetics, and which was granted on the supposition that the experiments were simple inoculations. I am informed by the Inspector that the great majority of these experiments were simple inoculations; but that in the cases where the inoculation was performed on bone, as detailed in the journal quoted, the animal was fully under the influence of chloroform. With regard to subsequent pain, the licence always carries a condition that, if severe pain had been induced in an animal after the experiment, and if the main result of the experiment has been attained, the animal shall be immediately killed under anæsthetics.

COMMUNICATIONS BETWEEN RAILWAY GUARDS AND PASSENGERS.

Mr. WEBB (Waterford, W.): I beg to ask the President of the Board of Trade if his attention has been called to the fact that the passengers in a railway train on the Great Western Railway, on 7th April, for upwards of 15 minutes in vain endeavoured to communicate with the guard to stop the train whilst a mother and her child were being assaulted by a drunken sailor with an open knife; and whether the Board of Trade will take any steps to enforce the communication between passengers and the guard being kept in a proper state of efficiency?

*The PRESIDENT of the BOARD of TRADE (Sir M. Hicks Beach, Bristol, W.): Yes, Sir; I have been in communication with the Railway Company on the subject of the hon. Member's question. The company state that the passenger tried to reach the cord on the near side of the train, whereas the cord was on the off side of the train; that the cord was in good working order, and that the failure to make the communication was because of the passenger going in the first instance to the wrong side of the train. The Act of 1868 imposes the duty on every Railway Company of providing and maintaining in every train carrying passengers, and travelling over 20 miles without stopping, efficient means of communication between the passengers and the guard. The Act leaves it open to any person aggrieved to prosecute, and does not devolve that duty upon the Board of Trade.

Mr. ESSLEMONT (Aberdeen, E.): Is it not possible for a passenger to know on which side the communication is?

*Sir M. HICKS BEACH: He has only got to look.

ASSAULT BY A SEAMAN OF H.M.S. *VOLAGE*.

Mr. WEBB: I beg to ask the First Lord of the Admiralty whether his attention has been directed to the conviction at Abingdon, on Saturday 25th April, of Robert Dooley, a seaman of H.M.S. *Volage*, for threatening in a railway carriage to cut the throat of a mother if she would not give him her child; and whether it is the intention of Her Majesty's Government to retain this seaman in Her Majesty's Service?

*Lord G. HAMILTON: The offence was dealt with by civil power. The man was sentenced to pay a fine of £5, or to go to prison for a month. The charge was one of ordinary assault only. During his term of service the man's character had been always good. His further retention in the Service is under consideration.

TREATIES OF COMMERCE AND THE COLONIES.

Mr. HOWARD VINCENT (Sheffield, Central): I beg to ask the Under Secretary of State for Foreign Affairs if the attention of Her Majesty's Government has been called to the resolution unanimously adopted by the Manchester Chamber of Commerce on 28th April, 1890, to the effect that no Treaties of Commerce should in future be renewed or entered into which preclude preferential arrangements between the United Kingdom and British Colonies with regard to their respective products; and if this view will be borne in mind in any negotiations for the renewal of expiring Treaties?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Her Majesty's Government are aware of the resolution referred to, as well as of similar expressions of opinion. These will certainly be kept in view in the renewal of expiring Conventions.

NEWFOUNDLAND.

CAPTAIN PRICE (Devonport): I beg to ask the Under Secretary of State for the Colonies whether it is true, as reported in the *Times*, that the French authorities of St. Pierre are encouraging, by bounties and otherwise, the breaking of the Newfoundland laws with respect to the selling of bait; and whether their doing so amounts to a breach of the Agreement of 1783, with respect to the Islands of St. Pierre and Miquelon, as set forth in the Counter Declaration?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): Her Majesty's Government have not been informed that the French authorities have offered any bounty on bait, or have in any other way induced Newfoundland fishermen to break the regulations on the subject. By those regulations the Newfoundland Government at present prohibits the sale of bait to French and Canadian fishermen, while permitting it to be sold to United States fishermen, and it is reported that in defiance of this regulation Newfoundland fishermen have sold bait to the French. Whether the purchase in St. Pierre and Miquelon of bait illegally brought thither by Newfoundland fishermen would constitute a breach of the Declarations of 1783 is a matter of opinion.

SIR G. BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the Under Secretary of State for the Colonies whether the Newfoundland Delegates have now undertaken to introduce into the Newfoundland Legislature the Bill necessary to provide for the due execution of our Treaty obligations on the French shore; and whether agreement has been come to as to the details to be submitted to arbitration?

BARON H. DE WORMS: Her Majesty's Government have not yet received from the Newfoundland Delegates any proposals on this subject beyond the statement made in their Address to the House of Lords. If the second part of my hon. Friend's question refers to the arbitration respecting the lobster fisheries, the answer to it is to be found in Article 1 of the Agreement with France. No agreement has yet been come to with regard to any subsidiary questions, which, as will be seen in the Agreement, are not to be discussed until after the arbitration on the lobster fishery has been concluded.

CHRIST'S HOSPITAL.

CAPTAIN PRICE: I beg to ask the hon. Member for Penrith (Mr. J. W. Lowther) whether the provision, by which 50 sons of naval officers have been maintained on the foundation of Christ's Hospital from the year 1798 to the present time, has been omitted from the new scheme; what is the reason for the omission; and what steps will he take to rectify it?

*MR. J. W. LOWTHER (Cumberland, Penrith): The admission of 50 sons of naval officers to Christ's Hospital rested not upon any specific trust on their behalf, but upon a resolution of the Governors in the exercise of their discretion. The new scheme does not create a trust in favour of sons of naval officers, nor was it ever suggested to the Commissioners during the progress of the case that it should do so. It will still be open to Governors having presentations or nominations for competition to favour sons of naval officers, and it may be presumed that the Council of Almoners in the exercise of their rights of nomination will not be unmindful of the resolution of 1798.

PUBLIC LOTTERIES IN SCOTLAND.

DR. CAMERON (Glasgow, College): I beg to ask the Lord Advocate whether his attention has been salled to a correspondence between the Secretary of the "Anti-Gambling League (Scotland)" and the Crown Office on the subject of public lotteries for church and other purposes; whether it is true, as therein stated, that four cases had been reported by the Police Authorities and Procurators Fiscal without any proceedings being instituted; whether it is the fact, as stated in the Crown Agent's letter of the 14th instant, that, in the case of the Falkirk Parish Church Bazaar—

> "The subscription sale complained of had not been authorised by the Bazaar Committee, and was stopped as soon as it came to their knowledge,"

or that, as stated in the *British Weekly* of 26th March,

> "the subscription sale and raffle complained of actually took place at the bazaar;"

whether the Act Geo. IV., c. 60, cited by the Society, renders such lotteries illegal in Scotland; and whether the "warning" referred to in the Crown Agent's letter of 14th March as having been given in a Glasgow case, and as "having had the desired effect of closing the shop," was given with the sanction of the Crown Officials and based on the assumption that lotteries are illegal; and, if so, why the Crown Authorities decline to enforce the law in the other cases reported by the Anti-Gambling Society?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I have been acquainted with this correspondence throughout its course. In answer to Paragraphs 2 and 5 of the question, four cases of shops in Glasgow used for "Enterprise Sales" were reported to the Crown Office. It is not the case that the Crown Authorities have declined to enforce the law in these instances. The occupiers were informed that their business was illegal under the Statute, and were warned to desist. One of them thereupon closed his premises. The others, having declined to do so, the papers have been sent to the Procurator Fiscal of the Justice of Peace Court. That officer is not under the control of my Department, and it will be for him to make arrangements for the costs of the prosecution. The only alternative under the Statute is the somewhat costly one of raising an action in the Supreme Court. As to Paragraphs 3 and 4, the Act of 4 Geo. IV. renders renders certain lotteries illegal; but the Public Prosecutor has always exercised a discretion as to the classes of lotteries which are fit subjects for prosecution, and I do not intend to depart from this practice. In the case of the Falkirk Church Bazaar, the complaint made was understood to refer to the exposure of an article for subscription sale in a shop window in Glasgow, in connection with that bazaar; and I am assured that it was stopped as soon as it came to the knowledge of the Committee.

LIGHTHOUSE ILLUMINANTS.

DR. CAMERON: I beg to ask the President of the Board of Trade whether his attention has been called to a lecture delivered before the Royal Dublin Society, on the 15th instant, by Mr. John R. Wigham, on the subject of lighthouse illumination, in which he exhibits a new lighthouse burner which he had invented, alleged to have twice the power of the most powerful lighthouse burner tested by the Trinity House at the South Foreland, and also described a new lenticular apparatus alleged to have three times the power of the hyperradiant lens tested at the South Foreland, and to give, when used with the new burner, six times the light of the most powerful existing lighthouse light; and whether he will direct that this new light be tested against the most powerful form of electric light with its most recent improvements with the view of ascertaining their relative efficiency in fog?

*SIR M. HICKS BEACH: My attention has not been called to Mr. Wigham's recent lecture respecting his inventions. The hon. Member is aware that it is not the province of the Board of Trade to take the initiative in these matters, and I have had no application for a renewal of experiments from any of the General Lighthouse Authorities who would appear satisfied with the able and exhaustive Report which a Committee of the Royal Society recently made on the subject of lighthouse illuminants, and which has been presented to Parliament.

MR. SEXTON (Belfast, W.): I assume that no final action will be taken in a matter of this importance until the House has had an opportunity of expressing an opinion.

*SIR M. HICKS BEACH: No action is required.

COUNTY COUNCILS AND TRAFFIC REGULATIONS.

MR. ESSLEMONT (Aberdeen, E.): I beg to ask the Lord Advocate in view of the fact that County Councils have no power to make bye-laws, as Road Authorities, requiring conveyances to exhibit lights during dark while driving, whether he will, on behalf of the Government, take steps to confer the necessary powers where, in the opinion of Local Authorities, such regulations are required for public safety?

*Mr. J. P. B. ROBERTSON: County Councils have the same powers to make bye-laws for the purposes set forth in Section 104 of the Roads Act of 1878 as County Road Trustees had before the passing of the Local Government Act. Until I saw the question of the hon. Member I was not aware of any desire that these powers should be in any way extended; but if representations in this direction are made, they will receive consideration.

Dr. CAMERON: The right hon. Gentleman is, no doubt, aware that this is not the only case which has arisen.

*Mr. J. P. B. ROBERTSON: Each case will be considered on its merits, but I may add that the Secretary of an Association does not occupy any privileged position in bringing a case forward.

PRICE'S CHARITY.

Mr. STANLEY LEIGHTON: I beg to ask the Vice President of the Committee of Council on Education whether he is aware that in the case of Price's Charity, value £60 a year, now devoted to the elementary education of the poor in the Parish of Cwm-dawddwr, in the County of Radnor, the Charity Commissioners, after the publication of the names of four Trustees proposed to be added to the Governing Body, without any public notice and without any opportunity being given to the inhabitants and the general public to express their opinions, added three more names to the list at the nomination of the Joint Education Committee of the County Council, making nine Trustees in all for the administration of £60 a year; and whether the 32 & 33 Vic., c. 110, s. 6, which gives the Charity Commissioners power to dispense with public notices in case of "modifying a proposed order" authorises them to entirely re-construct the Governing Body of a Charity by adding one-third to the number of Trustees, without complying with the provisions securing notice to the public?

The VICE PRESIDENT of the COUNCIL (Sir W. Hart Dyke, Kent, Dartford): My hon. Friend the Member for Penrith will answer this question.

Mr. Esslemont

*Mr. J. W. LOWTHER: Full publicity was given to the names of the three gentlemen referred to in the question at a meeting held on March 11, 1890, of inhabitants of parishes interested in the Charity—now applied as stated, but a grammar school by repute—and was subsequently evidenced by a memorial and a counter-memorial, each signed by about 200 names, presented to the Commissioners on July 7 and August 16 of that year respectively. In these circumstances the Commissioners, when deciding in October last to include these names in the draft order, mainly on the ground that the Parish of Rhayader was entitled to a share of representation, did not consider it to be necessary to publish names already so well-known and so much canvassed in the locality. All the nominees of the existing Trustees having been retained in the order, the Commissioners consider their own action to have been supplemental rather than re-constructive; and this appears to them to bring the case within the discretion, as to publication, allowed by Section 7 (not 6) of the Act 32 & 33 Vic., c. 110.

Mr. STANLEY LEIGHTON: I beg to give notice that I will call attention to the matter and move a Resolution.

ELEMENTARY SCHOOL TEACHERS.

Mr. RANKIN (Herefordshire, Leominster): I beg to ask the Vice President of the Committee of Council on Education whether the Government have had under their consideration the question of the superannuation of teachers in public elementary schools; and, if so, whether they intend to introduce any legislation on the subject this Session?

Sir W. HART DYKE: The subject to which my hon. Friend refers is now being dealt with by a Committee upstairs, and, pending the issue of their deliberations and Report, Her Majesty's Government do not propose to approach its consideration.

ALLOTMENTS ACT.

Sir E. BIRKBECK (Norfolk, E.): I beg to ask the President of the Local Government Board whether he can state how soon a Provisional Order will be issued for carrying out the compulsory provisions under the Allotments

Act, with the view to the acquisition of land at St. Faith's, Norfolk?

*Mr. RITCHIE: A Provisional Order has been made by the County Council of Norfolk in the case referred to; and a Bill for the confirmation of the Order will be introduced without delay.

ELECTION OF GUARDIANS AT CLAPTON, GLOUCESTERSHIRE.

Mr. WINTERBOTHAM (Gloucester, Cirencester): I beg to ask the President of the Local Government Board whether his attention has been called to circumstances connected with the election of Guardians for the Parish of Clapton, Gloucestershire; whether he is aware that Mr. Thomas Stephens, the successful candidate, received the support of 16 voters, and by the plural vote defeated Mr. N. Jenkins, who received the support of 18 voters; and that Mr. Thomas Stephens signed as witness the voting papers of two of his supporters who were only able to make a mark; and whether such voting papers were legal, and ought to have been counted; if so, whether a procedure so open to abuse can be altered?

*Mr. RITCHIE: I have asked the Returning Officer for information as to the election referred to. Mr. Stephens, the successful candidate, received 23 votes, and Mr. Jenkins 19. It is the case that Mr. Stephens signed as a witness the voting papers of two of his supporters who were only able to make a mark; but independently of these votes, Mr. Stephens had a majority of the votes given. I think that it is inexpedient that a candidate should witness the voting papers of persons who are unable to write. At the same time, I may observe that there is no suggestion that the votes in the voting papers as marked were not given for the candidates for whom the voters desired to vote, and the fact that the voting papers were so witnessed does not, in my opinion, render the votes invalid. No facts have come within my knowledge which appear to render it necessary that the law should be altered in this respect, but the point shall be considered when an opportunity offers.

NAVAL DEFENCE ACT.

Sir U. KAY-SHUTTLEWORTH: I beg to ask the Secretary to the Treasury when the first Account under the Naval Defence Act will be rendered to the Comptroller and Auditor General, in accordance with the 5th section of the Act?

*The SECRETARY to the TREASURY (Mr. Jackson, Leeds, N.): The Account to which the right hon. Baronet refers is the first of the series, and will largely influence the form of subsequent Accounts. It has, therefore, been the subject of much consideration between the Admiralty and the Treasury, but I believe it has to-day been sent forward by the Treasury.

MAIL SERVICE TO THE HEBRIDES.

Colonel MALCOLM (Argyllshire): I beg to ask the Postmaster General whether the districts of Ardnamurchan and Loch Suinart are included in the improved mail service to come into operation on the 1st May; and, if so, whether these places are to be served by the present Mull mail steamer, by the new service round Mull, or by the steamer to the outer Hebrides?

The POSTMASTER GENERAL (Mr. Raikes, Cambridge University): In reply to the hon. Member, I beg to state that Ardnamurchan will be included in the improved mail service, and receive a mail three times a week—twice a week by the steamer round Mull, and once by the direct Tobermory steamer. This change, while it will not affect the present frequency of the post, will admit of the delivery of the mails at Ardnamurchan at about 6 p.m., instead of at 2 p.m. the following day. With respect to Loch Suinart, I may state that the present land service to Strontian and Salen will remain undisturbed. With regard to certain places to the westward of Glenborrodale, they will receive their letters, not from Ardgour and Salen, as at present, but by the improved boat service *viâ* Ardnamurchan.

IMPERIAL DEFENCE ACT.

Sir W. HARCOURT (Derby): I beg to ask the Secretary of State for War having regard to the Report of the Auditor General on "The Imperial Defence Act, 1888," Part II., Ports and Coaling Stations, of the date of 31st January, 1891 (Accounts, No. 90), which sets forth that—

> "The proposals in the Imperial Defence Act contemplated that the actual expenditure of £2,600,000 authorised for the purposes of the Act should be completed within the three years ending 31st March, 1891;"

whether he will state how much of the said sum remained unexpended on 31st March, 1891; the reasons for the delay in completing the expenditure, which is declared in the Preamble of the Act to be for—

> "Urgent works," and for the "completion without delay of the defence of the Coaling Stations, and the speedy completion of the armaments";

and when the expenditure account will be finally closed?

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The amount remaining unexpended under Part II. of the Imperial Defence Act on March 31st last was £935,000, of which £550,000 will be spent during the present year. Unavoidable delay has been caused by the preference given to naval requirements by changes in the armament asked for by the Australian Colonies, and by difficulties in acquiring sites. But the main cause of delay is under the head of "Barracks and Coaling Stations," because the sum to be provided under the Act is to be supplemented by the sales of other property belonging to the War Department and by contributions from certain colonies. These questions lead to complicated negotiations, and the account under this head probably cannot be closed for two or three years.

TREASURY BILLS.

SIR W. HARCOURT: I beg to ask the Chancellor of the Exchequer whether he will state what was the total amount of the last issue of Treasury bills, the average rate per cent. on the whole, the amount and the average rate on each class of bills allotted?

MR. GOSCHEN: The total amount of the last issue of Treasury bills, being the bills allotted last Monday, was £1,000,000. This amount was made up as follows:—£660,000 in three months' bills at £3 5s. 7d. interest, £260,000 in six months' bills at £3 5s. 6d. interest, and £80,000 in 12 months' bills at £2 16s. 7d. interest. The average rate of interest over the whole, if reduced to three months' bills, was £3 3s. 7d.

Sir W. Harcourt

SIR W. HARCOURT: Why were not more of the bills allotted at the lower rate of interest?

MR. GOSCHEN: For the simple reason that there were no further tenders at that time at the lower rate of interest; otherwise I should certainly have taken them.

ORDNANCE SURVEY REPORT.

SIR E. J. REED (Cardiff): I beg to ask the President of the Board of Agriculture if he will state when the Ordnance Survey Report will be issued?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): The Report of the Ordnance Survey is now with the Stationery Office, and I am informed that it will be issued in the course of a few days.

SCOTCH DEER FORESTS.

MR. FRASER-MACKINTOSH (Inverness-shire): I beg to ask the Lord Advocate whether, if moved for, he will grant a Return from the Government County Assessors of Scotland showing by counties the name, area, and owner of each deer forest in Scotland, and distinguishing those created since 1884?

*MR. J. P. B. ROBERTSON: It is impossible, without seeing the precise form of the Return, to give a definite answer to the question of the hon. Member. I can only say that I am not aware of any reason why some such Return should not be obtained.

LOWER DIVISION CLERKS.

MR. SEAGER HUNT (Marylebone, W.): I beg to ask the First Lord of the Admiralty what number of Lower (now Second) Division clerks in the Admiralty have been promoted to the Upper Division, and what number have received staff appointments since 1876; what percentage such promotions bear to the number of Second Division clerks in the Admiralty; and whether he will make such arrangements as will permit of better effect being given in the Admiralty to the Orders in Council of the 12th of February, 1876, and 21st of March, 1890, and to Treasury Minutes of the 19th of June, 1884, and 16th of August, 1889, wherein promotion to the Higher Division and to staff appointments is one of the conditions under which Second

Division clerks were induced to enter the Service?

*LORD G. HAMILTON: One Second Division clerk has been promoted to the Higher Division, and four have received staff appointments. The number of Second Division clerks in the Admiralty averages 200, and the percentage of such promotions would, therefore, be 2½. The Admiralty can only create staff appointments for the Second Division when the interests of the Service demand such a course; and, in face of the fact that the Admiralty is already overstocked with Higher Division clerks, who will be gradually reduced, I cannot undertake that all vacancies in that grade will be filled up.

ROYAL NAVAL ARTILLERY VOLUNTEERS.

MR. WATT (Glasgow, Camlachie): I beg to ask the First Lord of the Admiralty whether instructions have been issued prohibiting the enrolment of recruits for the Royal Naval Artillery Volunteers pending disbandment; and whether, having regard to the long service of this branch of the Reserve, he can now state his reasons for the proposed step?

*LORD G. HAMILTON: The further enrolment of recruits for the Royal Naval Artillery Volunteers has been stopped, pending certain proposed organic changes in their present constitution. The reasons for such a change cannot be stated within the limits of an answer to a question.

THE CHILIAN CIVIL WAR—NAVAL ENGAGEMENTS.

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Admiralty whether he has received any detailed information from the Commander of the British Squadron in Chilian waters relative to the encounter between the Chilian ironclad *Blanco Encalada* and the torpedo cruisers *Almirante Lynch* and the *Almirante Condell*; is so, will be be good enough to state what it is; and whether he has issued special instructions, requiring the British Commander to advise the Admiralty in detail of any naval engagements which have occurred, or which may occur, during the Chilian Civil War?

*LORD G. HAMILTON: The only Report as yet received from the Commander-in-Chief in the Pacific is a telegram from Valparaiso, dated April 24, as follows:—

> "Ironclad *Blanco Encalada* taken by surprise, and sunk with torpedoes by *Almirante Lynch* and *Almirante Condell* at Caldera yesterday morning; over 100 drowned; captain saved."

Special instructions are not required, as the Commander-in-Chief will, as a matter of course, furnish the Admiralty with full details of any matters of interest to the Navy.

THE NAVAL RESERVES.

MR. GOURLEY: I beg to ask the First Lord of the Admiralty whether, in consequence of his having appointed a Departmental Committee to inquire into the existing condition of the Naval Reserves, he will place upon the Table of the House Copies of the Report made to the Admiralty by the predecessor of Admiral Tryon, such Report in substance to be similar to that of His Royal Highness the Duke of Edinburgh when in command of the Reserves?

LORD G. HAMILTON: No Report such as that alluded to by the hon. Member was made by Sir George Tryon's predecessor.

THE TUBERCULOSIS COMMISSION.

SIR T. SUTHERLAND (Greenock): I beg to ask the President of the Local Government Board if he will be good enough to state how long the Royal Commission appointed to inquire into the question of tuberculosis in cattle has been sitting; and whether he can form any idea of the length of time which is likely to elapse before the Commissioners will be able to make their Report?

*MR. RITCHIE: The Commission has been sitting since July last. The Commissioners are now engaged in carrying out an exhaustive series of experiments, the results of which cannot be determined for some months.

FOREIGNERS IN ENGLAND.

MR. HOWARD VINCENT: I beg to ask the President of the Local Government Board if instructions can be given that the statistics obtained by the Registrar General relating to the numbers of foreigners in the East End of London, in Leeds, and Manchester, competing with the native population, shall be given in the Preliminary Report of the Census, instead of being delayed until the final Report is ready, having regard to the importance of the question from an industrial point of view? I also beg to put to my right hon. Friend this supplementary question on the same subject: Whether he will cause inquiry to be made into the statement in to-day's *Times*, that there are in the East End of London 25,000 Polish, German, and Russian Jews, who, besides holding on Sunday morning an immense market of the scrapings of the town, sell the labour of destitute arrivals at from 2s. to 3s. a week, depriving thereby other men of work, and especially English workmen?

*Mr. RITCHIE: I have no knowledge of such a state of things existing in the East End of London as is described in the hon. Gentleman's question. I have had some experience of the East End of London; and if such a condition of things existed, I think I should know of it. But, further than that, the hon. Member knows a Committee which has sat to consider the subject has heard a considerable amount of evidence, and no statement so startling was made before them. I may say that in the same number of the *Times* it is stated that some organisation is being set up by Lord Rothschild and others with a view of relieving the congested condition of some parts of London caused by the influx of foreign Jews and other aliens who arrive in large numbers in London. I may also say that a Committee is sitting to consider a Bill with regard to public health, which will confer upon the Local Authorities of London additional powers of dealing with insanitary conditions such as those which are referred to in the hon. Member's question. In reply to the question upon the Paper, I have to say that I have communicated with the Registrar General, who informs me that it will be impossible to comply with the suggestion of my hon. Friend. The preliminary Report on the Census, which must be presented to Parliament within five months next after the Census, and which the Registrar General hopes will be presented at the end of June or in the beginning of July, is prepared from summaries made out by Local Registrars. Those summaries are now made out, and are being sent forward to the Census Office. The information referred to in the question could only be obtained by tabulating the birth-places in all the enumeration books, and to go through all these books for the purpose of extracting from them one particular item of information would involve great trouble and expense, and would most seriously delay the issue of the general Report.

NEW GENERAL POST OFFICE FOR LIVERPOOL.

Sir G. BADEN-POWELL: I beg to ask the Chancellor of the Exchequer whether he can now state what decision has been come to in regard to providing a new General Post Office for Liverpool; and whether he can state which site has been selected?

Mr. GOSCHEN: I regret that I am unable to answer the question of my hon. Friend. As negotiations are in progress, it would be undesirable to do so.

CYPRUS.

Mr. A. O'CONNOR (Donegal, E.): I beg to ask the Under Secretary of State for the Colonies whether Her Majesty's Government intend to adopt the measures recommended, after careful experiments, by the Commissioner of Paphos, for the improvement of sericulture in Cyprus; and whether, having regard to the poverty of the peasants, and to the languishing condition of that industry (which in prosperous times afforded remunerative employment for female labour throughout Cyprus), the Secretary of State will recommend that a grant be voted from the Consolidated Fund to be expended under the orders of the High Commissioner of Cyprus for the improvement of the cultivation of silk in that island?

Baron H. de WORMS: Her Majesty's Government are favourably disposed towards trying such experiments as the hon. Member alludes to in the first part of his question; but the correspondence on the subject is still in progress. It would be contrary to approved usage for the Secretary of State to recommend a grant from Imperial funds for an industrial experiment of the nature described in the second part of the question; but if, and when he is satisfied that a grant could be usefully expended, he will recommend the Treasury to sanction one out of Cyprus funds. The hon. Member is, however, doubtless aware that the question involves scientific considerations as to the possibility of combating with success the diseases which affect silkworms in the older centres of silk culture.

SOUTH KENSINGTON.

Mr. STORY-MASKELYNE (Wilts, Cricklade): I beg to ask the Chancellor of the Exchequer whether any steps were taken to consult the Science and Art Department, and in particular the Professors of the Royal College of Science, before the allocation of the land at South Kensington, which has been so strongly objected to in a Memorial to Lord Salisbury, was agreed to, and whether Her Majesty's Government will assent to the appointment of a Committee to report on the statements contained in that Memorial?

Mr. BARTLEY (Islington, N.): Is it not the fact that the Science and Art Department strongly object to the proposed arrangement?

Mr. GOSCHEN: The responsible Ministers of the Science and Art Department were of course consulted, and after examining the scheme upon the spot, in company with the representatives of the Office of Works, assented, on condition that access should be reserved from Exhibition Road to the Southern Galleries and land adjoining them. The Lord President of the Council and I are prepared to receive a deputation from the memorialists, and all possible care will be taken to protect and promote the interests of science at South Kensington. But I must inform the hon. Member that the munificent offer of the Art Gallery to be built on the proposed site has been finally accepted by the Government, and they cannot now re-open the question.

SEA FISHERY COMMITTEES.

Mr. ROWNTREE (Scarborough): I beg to ask the President of the Board of Trade if it is competent for Sea Fishery Committees to defray the railway fares of fishermen representatives to and from the Committee meetings out of any funds at their disposal under the Sea Fisheries Act; and, if not, if he will consider the desirability of altering the law so as to admit of the payment of such expenses?

*Sir M. HICKS BEACH: The Local Fisheries Committees are Committees of the County Councils, and it does not appear that the Councils have any power to pay the expenses of their members when attending meetings. The question whether such a payment should be authorised by law involves that of the payment of the expenses of all County Councillors and other members of their Committees.

FREE EDUCATION.

Mr. CHANNING (Northampton, E.): I beg to ask the Vice President of the Committee of Council on Education whether, having regard to the number of interests to be consulted, and to the importance of giving sufficient time for the consideration of the details of the scheme for carrying out free education, he will bring in the Bill for that purpose before the Whitsuntide Recess?

Sir W. HART DYKE: If the hon. Gentleman will use his influence with his friends below the Gangway, to assist the progress of the Irish Land Bill, I may be in a position to act upon his suggestion; but, in any case, ample time will be given for the consideration of the details of the measure to which he refers.

Mr. H. H. FOWLER (Wolverhampton, E.): I beg to ask the Chancellor of the Exchequer why, in the "Statement of Revenue and Expenditure," which has been laid upon the Table of the House, the proposed grant of £920,000, for free education in the present financial year, is described as one of the charges on the Consolidated Fund?

Mr. GOSCHEN: The Paper in question is simply a record of the Budget Statement of the Chancellor of the Exchequer for the assistance of the memories of hon. Members during the Budget Debates. The right hon. Gentleman has hit a blot in it. I intended the item of education to be stated as a separate item, as not yet before the Committee, and depending on the passage of a Bill, but by inadvertence placed it as a charge on the Consolidated Fund. I will substitute an amended Paper if the right hon. Gentleman thinks it worth while.

THE EVELYN-HURLBERT CASE.

MR. SUMMERS (Huddersfield): I beg to ask the Attorney General whether he is now in a position to state what action, if any, it is the intention of the Public Prosecutor to take with regard to the case of "Evelyn *v.* Hurlbert"?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): The hon. Member must, I think, be aware that it would be both unusual and improper for me to make any statement as to the intention of the Public Prosecutor in such a matter. The evidence is now under the consideration of the Public Prosecutor, and it might be contrary to the interests of public justice were I to state by anticipation any proposed action of the Public Prosecutor. As a matter of fact, I understand that further proceedings are being taken in the civil action.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): May I ask the hon. and learned Gentleman whether it is on his initiative the Public Prosecutor has moved?

SIR R. WEBSTER: It is not on my initiative. The only action I could take would be on representations made to me. In this case the usual course has been taken and the evidence sent to the Public Prosecutor for his consideration.

MR. PICTON (Leicester): By the Attorney General?

SIR R. WEBSTER: Not by the Attorney General in any sense. The matter has been frequently explained in this House. There are statutory regulations sanctioned by the previous Lord Chancellor and previous Law Officers under which the Public Prosecutor acts.

RATING OF MACHINERY BILL.

MR. W. JAMES (Gateshead): I beg to ask the Attorney General, having regard to the circumstances under which the Rating of Machinery Bill was read a second time, whether he will state what course the Government intend to take with regard to the Committee on the Bill?

SIR R. WEBSTER: Beyond what was stated by myself upon the occasion of the Second Reading of the Rating of Machinery Bill, Her Majesty's Government cannot state what course they propose to take until the discussion upon any proposed Amendments arises in Committee.

SIR W. HOULDSWORTH (Manchester, N.W.): As the Bill is supported upon both sides of the House, will the right hon. Gentleman the First Lord of the Treasury give facilities for its consideration?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I am sorry it is not in my power to promise any facilities for the consideration of the Bill.

THE IRISH LAND PURCHASE BILL.

MR. MAHONY (Meath, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will lay upon the Table of the House a Return showing what electoral divisions in the respective counties will form congested districts counties under Clause 13 of Part II. of the Purchase of Land and Congested (Ireland) Bill, as introduced, and also what electoral divisions in the respective counties will form congested districts counties if in line 2 of Clause 13, the words "poor law union" be substituted for the word "county"?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): Investigations made since the Bill was introduced have convinced me that the proposed basis on which to determine the area of congested districts counties will have to be modified. The £1 average valuation is certainly too low. I have had a map prepared on the basis of a £1 6s. 8d. average valuation, which gives much better results; but I am inclining reluctantly to the view that in all probability it may prove necessary to leave the determination of these counties to some delimiting body. I shall be very glad to show the hon. Gentleman the map based upon a £1 6s. 8d. valuation per head of population.

MR. KNOX (Cavan, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can now give the valuation of the farms in each province in Ireland which, according to his estimate, will be excluded by Clause 6, of the Land Purchase Bill as pasture held by non-resident tenants? There is a misprint in the question. It should be "as pasture, or held by non-resident tenants."

MR. A. J. BALFOUR: I can only answer the question as it stood originally.

If the hon. Member will rectify the mistake and repeat the question I will answer it.

LOANS TO IRISH OWNERS.

Mr. MAHONY: I beg to ask the Secretary to the Treasury whether he can state, as regards loans to owners of land in Ireland under a notice from the Office of Public Works, Dublin, dated 12th January, 1880, in which the annual instalments are fixed at £3 8s. 6d. per cent. for 35 years, how much of the instalment is carried annually to the Sinking Fund, and at what rate of interest the Sinking Fund is calculated?

*Mr. JACKSON: I understand that the rate of interest charged is £1 percent. per annum on the amount outstanding. The balance is carried to the Sinking Fund.

Mr. MAHONY: Does the amount carried to the Sinking Fund vary each year.

*Mr. JACKSON: The interest is always at the same rate. For each £100 advanced, there is an annual payment of £3 8s. 6d. for 35 years.

INDEPENDENT ORDER OF RECHABITES.

Mr. JOHNSTON (Belfast, S.): I beg to ask the Chief Secretary for Ireland whether he is aware that the Independent Order of Rechabites, registered as a Friendly Society, 27th March, 1854,—

> "Is an Association of abstainers, united for the mutual interest and benefit of its members in time of sickness and death, and for the promotion of the principles of abstinence from all intoxicating drinks, and thrift";

and whether, as this Temperance and Benefit Society is spreading in Belfast and the North of Ireland, members of the Royal Irish Constabulary will be permitted to join the Order?

Mr. A. J. BALFOUR: The Inspector General has already had before him the question as to members of the Constabulary Force being permitted to join the Order referred to. He considers, however, that the pledge to be taken is not merely one of personal abstinence from intoxicating liquors, but involves an expression of views on other matters which might interfere with an impartial discharge of duty.

SEED POTATOES.

Mr. T. FRY (Darlington): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if there is any truth in the following statement, which has been received by telegram from Achill, namely—

> "Government potatoes rotting after setting, Inspector took quantity to Dublin Castle to show Under Secretary;"

and, if so, what course he intends to pursue in reference to such an important statement?

Mr. A. J. BALFOUR: The hon. Member must be aware that the Government have not supplied any seed potatoes to this district. They are supplied by the Guardians of the Westport Union under the Seeds Act, and the failure has been produced in consequence of what is called "heating."

Mr. T. FRY: Did not Mr. Inspector Pringle make a representation as to the badness of the potatoes, independent of the heating?

Mr. A. J. BALFOUR: Yes; I believe the Inspector made a representation to the Guardians.

Mr. T. FRY: Did he make a representation to the Government as well as to the Guardians?

Mr. A. J. BALFOUR: I am not aware; but he ought to have done so.

Mr. T. M. HEALY (Longford, N.): How is it that the Government potatoes are more given to heating than others?

Mr. A. J. BALFOUR: There are no Government potatoes.

Mr. FLYNN (Cork, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he (or the Local Government Board) has received any communications respecting the rumoured failure of the seed potatoes imported and supplied through the Skibbereen Union; and who was the Inspector employed by the Government to examine and pass the seed supplied in that district? I also beg to ask the right hon. Gentleman whether he is aware that, at the last meeting of the Bandon (County Cork) Board of Guardians, several Guardians complained that the seed potatoes supplied through the medium of the Union already showed symptoms of failure; and, if so, will the Irish Government inquire into the matter without delay?

Mr. A. J. BALFOUR: I have received no information beyond the newspaper extract which the hon. Member has been good enough to send me. I will cause inquiries to be made.

Mr. FLYNN: May I ask what are the qualifications required of an Inspector?

Mr. A. J. BALFOUR: The hon. Gentleman had better give notice of that question.

LAND COMMISSION—DONEGAL.

Mr. MAC NEILL (Donegal, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that in 70 of the cases heard before Land Courts held at Carrick and Killybegs, in Donegal, in January and February, 1890, appeals have been lodged against the judicial rents fixed by the Sub-Commissioners; whether he is aware that the tenants in all these cases are, with six exceptions, the recipients of public charity; and whether, having regard to the fact that these appeals are listed to be heard in the town of Donegal next June, and that the people, by reason of their extreme poverty, are unable to travel so great a distance from their homes and to support themselves while awaiting in Donegal the hearing of their cases, he will give directions for the sitting of the Appeal Court in Carrick or Killybegs, where these cases were originally heard?

Mr. A. J. BALFOUR: The Land Commissioners Report that as soon as the arrangements are completed they will be able to say where the sittings will be held, and due regard will be had to the convenience of the persons who will have to attend them.

MERCHANDISE MARKS ACT.

Mr. M'CARTAN (Down, S.): I beg to ask the Attorney General for Ireland whether his attention has been called to a Report by the United States' Consul Reid, of Dublin, published in the *Grocer* of the 11th April, in which it is stated that—

> "One of the chief pork-packing concerns in Limerick buys great quantities of American hams in the cured state, smokes them, and impressess its own brand upon them,"

and sells them at a price a trifle below what it asks for its own goods; whether impressing an Irish brand on American hams is an infringement of the Merchandise Marks Act; and if, in the interest of the Irish trade, he will cause inquiry to be made as to whether any such practice, as alleged, is carried on?

The ATTORNEY GENERAL for IRELAND (Mr. Madden, Dublin University): My attention has been called, by the question, to the allegations made by the Paper referred to, and I am informed that they have been flatly contradicted by the Limerick firm referred to. I am having a careful inquiry made.

Mr. T. M. HEALY: As this is a matter of great importance, and as many large merchants are interested in it, may I ask the right hon. and learned Gentleman to address a communication to the American Minister, requesting to name the particular house against which the charges are made?

Mr. MADDEN: The right hon. and learned Gentleman must be aware that such an inquiry is beyond my province. All I can say is, that as these statements have been made they will be carefully inquired into.

Mr. T. M. HEALY: When will the right hon. and learned Gentleman be in a position to answer a further question?

Mr. MADDEN: On Monday.

THE BRAGNE SCHOOL, COUNTY DOWN.

Mr. M'CARTAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received a memorial from the Manager and Committee of Bragne School, near Banbridge, county Down, complaining that control of the school has been removed from them without any previous notice having been given to them; whether he is aware that this Committee, which represents three Presbyterian congregations, have always been recognised as the only trustees of the property; and whether he will make inquiry into the matter with a view of having their rights over the school restored to the Committee?

Mr. A. J. BALFOUR: The Government have no control in regard to the management of the school mentioned. The memorial referred to was received, and duly answered to the effect that the Government were unable to interfere in the matter.

LAND COMMISSION—CAVAN.

Mr. KNOX: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how many appeals *re* fair rent were heard by the Land Commission recently sitting in Cavan; and in how many of such cases the rent was raised, and in how many lowered?

Mr. A. J. BALFOUR: I have not yet received information that will enable me to answer the question.

HARBOUR ACCOMMODATION AT NEWCASTLE, COUNTY DOWN.

Mr. M'CARTAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the want of harbour accommodation at Newcastle, County Down; whether he is aware that the last Return of "Sea Fisheries of the United Kingdom" shows that, in 1885, the quantity of fish conveyed inland by railway from Newcastle was 25 tons, and that every year since then the amount so conveyed has gradually increased, and amounted in 1890 to 197 tons; and whether, considering the great loss to the country, and the serious danger to the lives of the fishermen, he will make inquiry as to the desirability of providing the necessary harbour accommodation there?

Mr. A. J. BALFOUR: Representations have been received from time to time by successive Governments, asking that the harbour of Newcastle (County Down) should be repaired. The Grand Jury have declined to undertake the work, and as the Board of Works estimate that the cost would be at least £13,000, the Government would not at the present moment feel justified in asking Parliament to vote this amount, having regard to the large sums it has already recently voted for works in Ireland.

THE PURCHASE COMMISSIONERS.

Mr. T. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland is it true that the Government intend to accept the proposal of the Member for South Tyrone (Mr. T. W. Russell) with regard to the *status* of the Purchase Commissioners, or any modification thereof?

Mr. A. J. BALFOUR: The hon. and learned Gentleman will probably agree with me that it is not desirable to state the intentions of the Government in regard to those portions of the Land Purchase Bill which have still to be brought forward.

Mr. T. M. HEALY: Of course I agree with that as a general rule, but this is a matter which will seriously affect the attitude of the Irish Members. The statement has been made that the Amendment, of which the hon. Member for South Tyrone has given notice, has been put down as a kind of official Amendment.

Mr. T. W. RUSSELL (Tyrone, S.): As a reference has been made to me it is right I should state that I have had no conversation with the Government on the matter, either directly or indirectly.

RELIEF WORKS.

Dr. TANNER (Cork Co., Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any, and, if so, what relief works are proposed to be opened in the Enniskeen district in the County of Cork; and whether any Memorial has been received from the district, pointing out the great distress there existing, and the works of a reproductive character that can with facility be carried out?

Mr. A. J. BALFOUR: If the hon. Member refers to the Enniskeen district of the Bandon Union, I may inform him that no relief works have been opened there.

WEST CORK POSTAL REQUIREMENTS.

Dr. TANNER: I beg to ask the Postmaster General whether any, and, if so, what steps will be taken to provide a quick mid-day mail, to meet the postal requirements of West Cork, that would secure the delivery of letters at Bantry and Skibbereen at about 3 o'clock p.m., with a delivery at 4 o'clock p.m., enabling professional men, merchants, traders, and others, to reply to communications received by the mid-day mail?

Mr. RAIKES: The subject to which the hon. Member refers is now under inquiry, and I hope in the course of a short time to be in a position to come to a decision upon it.

YEOMANRY VOTERS AT THE SOUTH LEICESTERSHIRE ELECTION.

MR. DE LISLE (Leicestershire, Mid): I wish to put a question to the Secretary for War of which I have given him private notice, namely, whether it is possible to arrange the training of the Leicestershire yeomanry so that all the members of the corps who desire to vote at the coming election may have an opportunity of doing so?

MR. E. STANHOPE: It is already recognised by Statute that all reasonable opportunity shall be given to members of yeomanry corps to whatever Party they belong, to record their votes; but I will make inquiry into the matter, and see that every reasonable opportunity is secured.

PUBLIC PETITIONS COMMITTEE.

Twelfth Report brought up and read; to lie upon the Table, and to be printed.

BRITISH AND FOREIGN SPIRITS.

Report from the Select Committee, with Minutes of Evidence and an Appendix, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 210.]

MESSAGE FROM THE LORDS.

Colonisation—That they do request, that this House will be pleased to communicate to them "Copy of the Report from the Select Committee appointed by this House during the present Session on Colonisation," together with the Minutes of Evidence, &c.

MOTION.

BUSINESS OF THE HOUSE (PROCEEDINGS ON THE PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL).

(4.25.) MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I wish to put a question to the Leader of the House, the answer to which may in a certain sense, I think, possibly tend to shorten the conversation upon the Motion which the right hon. Gentleman is about to make. First of all, is it his intention to ask for the particular preference he desires to have on behalf of the Irish Land Bill exclusively; and, secondly, is it his intention to apply the power which he seeks to obtain without making any exception in favour of any particular measure, so that it shall be perfectly equal in its application?

*MR. W. H. SMITH: I appreciate the spirit in which the right hon. Gentleman has put the question. The preference which we ask for has reference to the Irish Land Bill at the present time. We conceive that that Bill should be pressed forward with all reasonable speed. It has unfortunately lagged greatly in Committee during the last few days. I suppose the question of the right hon. Gentleman is directed specially to the Wednesdays. So far as other days of the week are concerned, we do not propose to make any exception whatever. The Government do not think it would be possible to make an exception in favour of one Motion or proposal without making an exception in favour of others, so far as Wednesdays are concerned. One difficulty in which we are placed is that an hon. Gentleman opposite had a Motion on the Paper for last Friday, and removed it under the impression that I had given a pledge that the 13th of May should be reserved for its consideration. I did not give that pledge. I did not give that pledge unreservedly; I merely stated that, so far as the Government were concerned, they would not propose that there should be an adjournment for Whitsuntide before that Wednesday, and if no unforeseen event occurred, they would not propose to take that day. However, it has been translated into a pledge; and, therefore, I am afraid I should not be able to take that day for Government Business. After Whitsuntide there are Bills of Private Members which would be in Progress; and under Standing Order No. 12, those Bills would be entitled to precedence before any other Orders. But it would be a strong measure on my part to deprive those Bills of the position they have obtained until absolute necessity compels me to do so. It would be held to be exercising the rights of the majority rather severely upon hon. Gentlemen who had charge of other Bills; and, therefore, it is not the intention of the Government to take the first three or four Wednesdays after Whitsuntide so far as Bills in

Progress are concerned. Therefore, it comes to this: The proposition of the Government is that the time of the House shall be given on Mondays, Tuesdays, Thursdays, and Fridays, without reservation, for the Land Purchase Bill. Next Wednesday shall be given for that purpose, but the first three or four Wednesdays after Whitsuntide will not be given until fair progress has been made with the Bills which are in Committee.

MR. J. STUART (Shoreditch, Hoxton); Is it open to the right hon. Gentleman to re-consider the decision to take next Wednesday, when a most important Bill is down?

MR. BRYCE (Aberdeen, S.): May I ask whether, seeing that the right hon. Gentleman took a night in February last, on which I had a Motion down with reference to the Access to Mountains in Scotland, he does not intend to make an exception now in favour of that Motion, which is down for May 8?

*MR. W. H. SMITH: It would, I think, be more convenient that I should enter into these questions, in regard to which I have had more notices than one, when I make the Motion for precedence. I express my regret if by any Motion of mine I have deprived the right hon. Gentleman of any opportunity of bringing forward his Motion.

MR. SPEAKER then, upon formal notice from the First Lord of the Treasury, proceeded to read the Motion on the Paper, but, in response to *Opposition cries of* "Move,"

*(4.35.) MR. W. H. SMITH again rose and moved—

> "That, whenever the Purchase of Land and Congested Districts (Ireland) Bill is appointed for Tuesday or Friday, the House do meet at Three o'clock, and that the proceedings on that Bill have precedence over all Orders of the Day and Notices of Motion; and that the said Bill have precedence on Wednesday if it be appointed for that day."

The right hon. Gentleman said: The House has now had 82 Sittings, and we have arrived at a period of the Session when we are justified in appealing to the House to give further assistance for the progress of Public Business. With reference to the Land Purchase Bill, the House will agree that the case is even stronger than it would ordinarily be in the case of other Bills. On Thursday, the 9th of April, there were 16 pages of Amendments on the Paper, but to-day, the 30th of April, owing to the industry displayed by the hon. Member for Northampton (Mr. Labouchere), there are 24 pages, after we have been sitting for some weeks in Committee. That is a case in itself for asking the House for further time for the consideration of this important measure. It is a Bill which must be considered and disposed of by the House prior to the consideration of any other question, unless it be of extreme urgency. During the 82 Sittings that we have had the Government had precedence on 48 days and private Members on 34. Thirty-four days is a larger amount of time in possession of private Members than has been known during the years from 1882 to 1885. During the Session of 1882 only 21 Sittings were reserved for private Members; in 1884 only 27, and in 1884–5 only 10. I propose now to provide that private Members should have the opportunity of disposing of some of the Bills that have passed a Second Reading and now stand in Committee. We must ask the House, first of all, to dispose of the Land Purchase Bill. That measure has been accepted in principle on both sides, and I believe there is a desire that it should be passed. [*Cries of* "No!" *from the Opposition.*] I gather from the right hon. Gentleman and from hon. Gentlemen opposite that they are not opposing the Bill, but only discussing it. But the discussion of the hon. Member for Northampton and his friends has successfully delayed the progress of Public Business for some time.

MR. LABOUCHERE (Northampton): Hear, hear.

*MR. W. H. SMITH: The hon. Member cheers that, and accepts the statement, and it is because of that delay that I am compelled to make the present appeal to the House. As soon as the Land Purchase Bill is disposed of, it will be our duty to introduce a measure for assisted education [*Opposition cries of* "Hear, hear," *and* "Free"], as to which, if we may fairly interpret the expression of opinions by hon. Gentlemen opposite, we ought not to find much difficulty or experience much delay in passing it. The hon. Member for Northampton says he would like to see the Bill. I am afraid from my experience of the hon. Member for Northampton that we could hardly produce any Bill that would satisfy his mind, and would not require discussion at his hands. When the Assisted Education Bill has been considered by the House, there are Bills now before the Standing Committee that I believe ought to pass without much delay. There is also before the House of Lords a Bill called the Clergy Discipline Bill, and I am sure that the right hon. Gentleman opposite (Mr. Gladstone) will concur in the opinion that it is a Bill that should be passed. There is one Bill for which I hope it will not be necessary to ask for any time from the House—the Bill with reference to Newfoundland before the House of Lords, which I trust may not come down to this House. I hope, and believe, that the Legislature of Newfoundland will anticipate the action of the House of Lords and the House of Commons, and render it unnecessary for us to proceed with that Bill. But if it should unfortunately be necessary to proceed with that Bill it will be absolutely urgent that it should be taken, if it comes to us, about the end of May, and passed through all its stages. I only make that reservation with regard to the possibilty of this urgent and important matter. I hope that I have given sufficient grounds for the concession which I ask from the House. The right hon. Gentleman has referred in his question chiefly to Wednesdays. By the Motion I make I take practically only next Wednesday so far as May and the first part of June are concerned. If the right hon. Gentleman should be of opinion that it is undesirable that we should take next Wednesday, and if the concession of that day would remove objections on the part of the House, I am perfectly prepared to fall in with his view. There is another point to which I must refer. There is a general desire that the prorogation should take place in July. [*Laughter.*] Some hon. Gentlemen laugh; but I believe they would not laugh if we deliberately proposed to the House that they should continue to sit during the month of August. The arrangement I have referred to has reference to a Prorogation before the end of July. The House, I think, has fair reason to expect that that should take place. Well, Sir, in addition to the business which I have described, there is Supply, and we have practically—allowing three or four days' holiday at Whitsuntide—[*cries of* "Oh!"] —12 weeks of the Session before us. I think I have not asked the House to get through more business than can well be done in these weeks that remain; but I think, at the same time, that we ought to begin to set ourselves in order, and invite hon. Gentlemen to repress in the strongest manner the repetition of any speeches, especially when the questions raised have been already considered and practically disposed of by the House.

Motion made, and Question proposed,

"That, whenever the Purchase of Land and Congested Districts (Ireland) Bill is appointed for Tuesday or Friday, the House do meet at Three o'clock, and that the proceedings on that Bill have precedence over all Orders of the Day and Notices of Motion; and that the said Bill have precedence on Wednesday if it be appointed for that day."—(*Mr. William Henry Smith.*)

(4.45.) MR. W. E. GLADSTONE: The right hon. Gentleman has opened before our anxious eyes a prospect which is rather more gloomy than cheerful. I am afraid that there are considerable difficulties which lie ahead with regard to the fulfilment of the expectations which he still entertains. At the same time, there are some of his anticipations in which I cordially share. One of the last subjects he named was a possible Bill for making certain provisions affecting the internal regulations of the Colony of Newfoundland, and I must say that I most sincerely—I would even say fervently—join in the hope which the right hon. Gentleman has expressed, that it will not be found necessary to submit that Bill to the consideration of the House. With respect to the Education Bill, it is impossible—indeed, it would be out of order—to give an opinion on a measure which we have not seen. But I think the right hon. Gentleman was perfectly correct when he said that, as far as he could gather, there was a desire to give to that Bill every despatch that was compatible with a fair consideration of its provisions, such as they be—in fact that there will be a sincere desire to forward the measure. With respect to the Bill relating to clerical discipline, what I hope is that there may be a very strong wish on the part of those to whom the good moral conduct of the clergy is an object of general interest—and it ought to be an object of general interest—and an anxious desire to find the provisions of that Bill judiciously adapted to their purpose; and, if so, I cannot help thinking that the right hon. Gentleman will find a general disposition in the House to promote the passage of that Bill without any considerable expenditure of time. On the subject of the Land Purchase Bill, it is certainly the case that many who are not supporters of the right hon. Gentleman and the Government desire to try certain questions upon that Bill with regard to which they are unable, from their convictions, to allow them to pass without notice, or even without a Division; but, at the same time, to allow fair and even rapid progress with the different stages of the Bill; and I do not believe that those who object to the Bill altogether have given fair grounds for the right hon. Gentleman's presumption of a wish to delay and impede the measure. I do not think that the right hon. Gentleman was justified in his remarks on that subject, I say that, from recollection of former experience. In the case of the Irish Land Bill, it is quite true that that Bill contained a greater number of clauses than the Bill now before us; but I do not think it contained a greater amount of difficult, complex, and disputable matter. The practice has grown up of late years of throwing into sub-sections a multitude of provisions which in old times would always have been the subject of separate clauses. This is the 11th day on which the Committee on the Land Purchase Bill has sat, and we are only at the third clause. But the Land Bill of 1881 occupied 50 Sittings of the House, and the Committee on that Bill occupied 32 Sittings of the House. It happened in the case of that Bill, as in the case of this Bill, that some of the first clauses were difficult, and I think it will be found, if the matter is carefully examined, that less progress was made in the case of the Land Bill in the first ten days than Her Majesty's Government have made with the Bill now before us. But whereas the Irish Land Bill was an Irish Bill exclusively, and English Members interposed very little in the Debate, this is a measure involving financial provisions concerning England and Scotland and is an English almost as much as an Irish Bill. I say now, as I said when the measure was first introduced, that it is necessarily one of the most complicated and difficult measures ever submitted to the House, and therefore I do not think that there is any ground for the complaint; but I believe that there is a disposition to dissuade any one who is an extreme opponent of the measure from endeavouring to make gain or advantage from it in any shape or form unnecessarily protracting its progress. There is only one other point on which I wish to say a word, and that is with regard to the reference which the right hon. Gentleman made to me in connection with next Wednesday. He said that if I expressed a certain opinion with regard to next Wednesday he would not be disposed to take it. I am disposed to speak in the opposite sense. If the right hon. gentleman thinks it necessary to interfere with the course of business in the House and with the rights of Private Members, particularly in circumstances so remarkable as these, when he has taken the night of the Motion of my hon. Friend the Member for Aberdeen, in which so much interest is taken in Scotland—in my opinion, his only safety is to insist on that on which he has often insisted on previous occasions, and to be perfectly uniform in the application of his rule. I do not look to the contents of the Bills, or to anything that may be called a matter of immediate urgency which I might conceive would be a possible subject for exception, but, taking these measures as measures, they are all well entitled to discussion, and I think the Motion of my hon. Friend the Member for Aberdeen is better entitled than any other Motion, on account of what has formerly happened. I may press on her Majesty's Government that they should not make two bites at a cherry, but should make a fair and uniform practice, and therefore avoid all occasion for giving ground for special complaint on the part of those who may be interested in any particular measure.

*Mr. W. H. SMITH: Am I to understand that the right hon. Gentleman is inviting me to take all Wednesdays after Whitsuntide?

Mr. W. E. GLADSTONE: I thought that we were discussing absolutely the question of all days until Whitsuntide, and then after that of the days on which the Land Purchase Bill may be put down.

(5.0.) Mr. LABOUCHERE: The right hon. Gentleman was in a somewhat prophetic mood as to what is going to take place in the present year, but I am sorry that he did not say when there was going to be a Dissolution. With regard to the motion of the right hon. Gentleman, it seems to me that I am always expected to play lamb to the right hon. Gentleman's wolf. The right hon. Gentleman turns on me as if I were the *fons et origo* of all obstruction in the House. In one sense I am—in the right sense of the word obstruction. The Conservative Party and Ministers have extraordinary notions as to the duties of this House. The right hon. Gentleman has said that I delay Public Business by putting down Amendments. That is one of the valuable truisms in which the right hon. Gentleman occasionally indulges. There can be no ground for any complaint until we have, as in the Land Bill in 1881, occupied more than 32 days. In the discussion on the Land Bill in 1881 the present Chief Secretary made a vast number of speeches, and, for my own part, though I may not be able to equal the Chief Secretary in the eloquence of his speeches, I will endeavour to do so in their number. I would point out to the House that there is no deliberate intention on the part of any one on this side of the House to obstruct, for the sake of obstruction. We know that this Bill must pass. Every clause of the Bill bristles with false principles, and, therefore, I and my friends naturally seek to alter it and make the best of it. Regarding this Motion, however, upon general principles, I am entirely opposed to any invasion of the rights of Private Members, for whenever an attempt at such invasion is made it is owing to Ministers having made a muddle of their own proceedings. The right hon. Gentleman said that it is necessary to pass the Land Purchase Bill at once, and that all other business should give way to it. Then why did he not bring in the Bill earlier than the 9th of April of the present Session? The Government spent many weeks in February and March over the Tithe Bill. Of course, it is known that they were forced to do so by certain hon. Members sitting behind the Treasury Bench; but surely that does not warrant the right hon. Gentleman pleading now that hon. Members have no right to discuss the Land Purchase Bill. The fact is that Ministers are behind with their business, for there is not only the Land Purchase Bill, but also the Estimates for discussion, and we are told that the Bill granting free education is to be introduced. Well, I shall be very sorry to do anything, consistently with my duty to other Bills, which will help to let Ministers escape from the pledge they have given in respect to this matter. I am one of those who want free education, and the right hon. Gentleman may depend upon it that the Radical Members are not going to play into the hands of the "cave" behind him. We are not going to play into the hands of the Chancellor of the Exchequer, who must have announced with grief and sorrow that he is in favour of assisted education, considering what he previously said; nor are we going to play into the hands of the Minister of Education, who in his electoral address protested against the system. We had great trouble in forcing the Government to give it, and we are going to keep the Government to their terms and to secure it. It is not improbable that the Radicals may object to much that is in the Bill, but in all probability we shall assent to its passing, and change and modify it when we have a majority. I further object to the proposal of the Government to take the time of Private Members, because it introduces a new element into the demands on the public time. By means of it Ministers are able to say in effect what Bills they approve or disapprove. They will take one Wednesday when Bills which they disapprove are to be brought on, but not the next, because then a Bill favoured by their supporters is to be brought on—a Bill about female franchise or some folly of that sort. In these matters let us at least be fair. What is sauce for the gander is sauce for the goose also. Let the Government take all the Wednesdays or none.

(5.10.) Mr. BRYCE: I beg to move an Amendment to except Friday, the 8th of May, from the operation of the Resolution. I could have understood the action of the right hon. Gentleman if it had been uniform, but to select days in a particular way, and practically in favour of particular Bills, is scarcely fair to the House. I should not have moved my Amendment if the right hon. Gentleman had taken all the time of Private Members, and if he had not intimated that the Government would not take Wednesday, the 13th; but, under the circumstances, I feel bound in duty to my constituents and to the people of Scotland, to take the course I do. What we want is uniformity of treatment, and, in fairness and justice, I ask that my Amendment should be accepted. I have no doubt the right hon. Gentleman will express his "deep regret" and speak of his "sense of duty," but I would rather have an ounce of justice than a pound of his regrets.

Amendment proposed, after the word "Friday," to insert the words "except on Friday, 8th May."—(*Mr. Bryce.*)

Question proposed, "That those words be there inserted."

(5.12.) MR. COURTNEY (Cornwall, Bodmin): The hon. Member for Aberdeen has candidly confessed that his principal motive of action in excepting Wednesday, the 13th of May, is not that he loves the Access to Mountains Bill so much as that he hates the Women's Franchise Bill.

MR. BRYCE: I said that I desired absolute equality in the matter.

MR. COURTNEY: The hon. Member distinctly stated that he should not have moved his Amendment if the right hon. Gentleman the First Lord of the Treasury had not intimated that he would not take Wednesday, the 13th. Therefore, I have not unfairly interpreted what the hon. Member said. Now, as to the question that is to come on on the 13th of May. Last Friday week the first notice of Amendment on going into Committee of Supply stood in the name of the hon. Member for Haddington relative to the political disabilities of women. That could not have been brought on if the Bill of the 13th of May still stood on the Paper; and it was a question with those Members interested in the subject whether that Motion should be proceeded with or whether the chance of the 13th of May should be retained. A deputation went to the right hon. Gentleman to ascertain the intention of the Government with respect to that day, and the right hon. Gentleman has frankly repeated what he said to the deputation—that it was not intended to adjourn the House before the 13th of May, and that, in the absence of unforeseen circumstances, the Government had no intention to take that day. Well, has anything unforeseen happened?

MR. LABOUCHERE: Yes, surely. The First Lord of the Treasury bases his claim to the days of Private Members on the fact that the unforeseen has happened—that the Land Purchase Bill is obstructed.

MR. COURTNEY: That has not happened since the time referred to, and was not unforeseen. On all grounds it is impossible for the right hon. Gentleman to depart now from the engagement he has made. The engagement of the right hon. Gentleman was known to every Member of the House; it was known to the hon. Member for Northampton. And with regard to the Motion of the hon. Gentleman the Member for Aberdeen, may I point out that even if he loses this opportunity of discussing it the Scotch Members, in consequence of the withdrawal of the Motion as to women's suffrage, had the opportunity given them the other night of debating the question of the deer forests—which is a somewhat kindred subject to that in which the hon. Gentleman is so deeply interested. Before sitting down I should like to say that my right hon. Friend the Member for Mid Lothian, was a little obscure with respect to the Wednesdays subsequent to Whitsuntide. With regard to Bills which have been considered before Whitsuntide, which have passed a Second Reading, and which are set down for progress after Whitsuntide, if the opportunity of further progress is taken away we shall put a stop to all legislation by private Members and make such legislation before Whitsuntide a farce. I entirely agree with the right hon. Gentleman as to the necessity of reserving those Wednesdays for such Bills. I protest against the contention of the hon. Member for Northampton and the hon. Member for Aberdeen that Wednesday, the 13th, should be taken.

*MR. SPEAKER: I may remind the House that the Amendment before it is a limited one. It merely excepts Friday the 8th May.

*(5.19.) SIR H. JAMES (Bury, Lancashire): May I appeal to the Member for Aberdeen to withdraw his Amendment. I will then ask leave to amend the Motion so that it shall read, after the word "Bill," in the last line but one, "shall also have precedence on Wednesdays until said Bill has passed through Committee of the House."

MR. BRYCE: On that understanding, I am willing to withdraw my Amendment.

Amendment, by leave, withdrawn.

*SIR H. JAMES: If there is any ambiguity in the views of the hon. Member for Aberdeen, there is no ambiguity in those of the right hon. Gentleman the Chairman of Committees. Whatever may be the inconvenience to Members of this House, and however desirable it may be that their time should be occupied by useful and practical legislation, yet according to the right hon. Gentleman all ought to give way to what will be after all an abstract discussion on the right of female suffrage. The effect of the Amendment which I beg leave to move is that until the Irish Land Bill has passed through Committee all the Wednesdays shall be taken up by that Bill. In that case we may hope that that Bill will be through Committee before the Whitsuntide Recess, and if it is, fewer Wednesdays will be taken by the Government after Whitsuntide. Anything which may interfere with the progress of the Land Bill through Committee will be detrimental to the public interest. What does the right hon. Gentleman the Chairman of Committees ask? He asks that the progress of the Land Bill shall be suspended, and that precedence shall be given to the Second Reading of the Bill for conferring the suffrage upon women. Does the right hon. Gentleman hope that there is any possibility of that Bill passing through the House? The House has still to deal with the Bill for Marriage of a Deceased Wife's Sister, with the Rating of Machinery Bill, with the Bill which would give a close time for hares. All those Bills, having been read a second time, have vested interests, and ought to be dealt with practically by the House. If we now say that we will not take away the Wednesday in question, but will give it for the pleasure of hearing the eloquence of my right hon. Friend, we must take more days after Whitsuntide, and all for an abstract proposition which we have already at different times discussed eight or ten times in this House. There is only one argument which has been used in favour of that course, namely, that the right hon. Gentleman the First Lord of the Treasury has given a pledge. But this is a question for the House itself. We have to consider how we can best do what is useful for carrying on the public business. We shall not be able to leave this House in the month of July if these days are not taken, and the Session will have to be further prolonged. The right hon. Gentleman the Leader of the House did not anticipate, when he gave what has been called a pledge, that eleven days would have been taken up with three clauses of the Irish Land Bill, or that he would have had to listen to so many arguments from the hon. Member for Elgin. I beg to move the Amendment.

Amendment proposed, in line 5, after the word "Wednesday," to insert the words "until it shall have passed through Committee." — (*Sir Henry James.*)

Question proposed, "That those words be there inserted."

(5.26.) VISCOUNT WOLMER (Hants, Petersfield): As reference has been made to me by the right hon. Gentleman, I should like to inform him what was actually said by the Leader of the House on the point in question. The deputation waited on him last Monday week, and as a result, the Motion of the hon. Member for Haddington, which was on the Paper for the following Friday, was removed. The First Lord of the Treasury stated that he did not intend to move the Adjournment of the House before the 13th of May, and that he would not take that day for the Business of the Government unless some "wholly unforeseen emergency" arose. I should like to ask if any wholly unforeseen emergency has since arisen?

(5.28.) SIR W. HARCOURT (Derby): I hope the First Lord of the Treasury will allow the House to express its own opinion on this subject; that he will listen to the appeal of the right hon. Gentleman the Member for Bury, and not dictate his personal opinion. The right hon. Gentleman is asking the House to make a sacrifice of its time for the purpose of carrying the Irish Land Bill through Committee. With regard to the pledge which has been referred to, the right hon. Gentleman says that he has not given a pledge, although what he said has been construed into one, and it is a curious thing that a man should be bound, not by what he acknowledges to be a pledge, but by what other people understand to be a pledge. It seems to me it would be as well for the right hon. Gentleman not to bring any pressure to bear on the House, but to allow it to determine for itself whether all Wednesdays shall be taken for the Irish Land Bill. I think that the proposal of the right hon. Member for Bury is one which we ought to accept, as it would enable the rest of the Session to be devoted to the Free Education Bill and Supply, and would not damnify the smaller Bills which have so far been read a second time. The Government must take the time somehow or other, and had better do so before Whitsuntide. The arrangement that all Wednesdays should be taken need hardly be broken into for the grand field day of the right hon. Member for Liskeard and the noble Lord the Member for the Petersfield Division, whom, in other circumstances, we should be even more pleased to hear on the subject of Female Suffrage than we should be to hear the right hon. Gentleman.

Mr. COURTNEY: Why?

Sir W. HARCOURT: He is younger. I hope the Amendment of the right hon. Gentleman the Member for Bury will be accepted, as to my mind it practically meets all the necessities of the case.

*(5.33.) Mr. W. H. SMITH: I trust that the House will not consider it necessary to prolong the Debate. The question before us is a very narrow one. It is whether the understanding that has been come to with reference to May 13th shall, or shall not, be observed. For myself I feel bound not to depart from that understanding, but it is for the House to decide what course shall be taken. I fully appreciate the desire of the House to make progress with the Irish Land Bill, and under the circumstances I shall leave this question of taking Wednesday, May 13th, to be decided by the majority.

*(5.34.) Mr. KEAY (Elgin and Nairn), who rose amid cries of "Divide!" said: I am glad hon. Gentlemen opposite are so demonstratively objecting to my speaking, because it helps me to push home the argument I was about to address to the House with regard to the attack made upon me by the First Lord of the Treasury. My reply is that if any of my speeches have been prolonged unduly, the reason is to be found in the obstruction which I have met with from the opposite side of the House. Whenever I have risen to speak to Amendments in Committee on the Land Bill I have been received with obstructive cries and howls from hon. Members, chiefly of the landlord persuasion. The attack of the right hon. Gentleman the First Lord has been endorsed by the right hon. Gentleman the Member for Bury, and by the noble Lord the Member for Petersfield, and I therefore think it right to briefly designate the character of the Amendments which I have placed upon the Paper.

*Mr. SPEAKER: The remarks of the hon. Member are entirely out of order.

*Mr. KEAY: I trust, Sir, you or the House did not think I was going to speak on the Amendments. I only ask to be allowed to point to the Paper in order to show that my Amendments were such as should be put down by anyone professing Radical principles. I do not know whether this is the proper time for me to say a word in explanation of the prominent position which, in connection with the Land Bill, I have thought it right to take up.

*Mr. SPEAKER: Order, order! The hon. Member has sufficiently made a personal defence, and he must now confine his remarks to the Amendment before the House.

*Mr. KEAY: I was only going to reply specifically to what the First Lord had charged me with. I will not, however, press the matter further until after the Division.

(5.39.) Mr. A. O'CONNOR (Donegal, E.): The observation of the First Lord appeared to me to be deficient in one or two points. He proposes to take a great deal of the time of the House for

Government business, but the Government have not yet stated what they intend to do with the Land Department Bill or the Employers' Liability Bill. Supply, too, has been mentioned, but nothing has been said as to the Vote on Account.

*Mr. SPEAKER: Order, order! The hon. Member's observations are not relevant to the Amendment. They would be more properly made on the Main Question.

*(5.40.) Mr. WOODALL (Hanley): I feel that it is only right to thank the First Lord of the Treasury for the loyalty with which he has adhered to the understanding with reference to May 13th. But there are now only two Wednesdays before Whitsuntide, and it is clear that the Wednesdays after will be required to enable further progress to be made with those Bills for which Private Members have been fortunate enough to obtain a Second Reading. I would suggest to the First Lord that the equity of all interests would be met, and Public Business best promoted, by his omitting the concluding passage from his Resolution, and leaving, for the present at any rate, all the Wednesdays free for the Private Members, to which they properly belong.

*(5.41.) Mr. W. H. SMITH: In answer to a question addressed to me by the right hon. Gentleman the Member for Mid Lothian, I expressed willingness to forego Wednesdays altogether, but since doing so the Wednesdays have been pressed upon the Government, and those who are responsible for the conduct of Public Business can hardly refrain from accepting facilities of that kind when they are offered. The House must now decide the question.

*(5.42.) Mr. HALDANE (Haddington): I do think that if May 13th is taken by the Government it would be unfair treatment, for my Resolution on Female Suffrage did not come on last Friday simply because of the understanding that the Bill dealing with the subject would come up for discussion on Wednesday, the 13th. I am aware that the right hon. Gentleman gave no pledge in terms, but he is always courteous and explicit in what he says, and he certainly conveyed to our minds a promise to leave the 13th May free for us. I hope the House appreciates the joining of hands by the right hon. Gentlemen the Members for Bury and Derby and the hon. Member for Northampton in an appeal to devote more time to the discussion of the Irish Land Purchase Bill. I ask the House to pause before depriving us of the opportunity we seek of discussing the principle of Women's Suffrage.

(5.44.) Mr. J. ROWLANDS (Finsbury, E.): No one has at present said anything about Wednesday, 6th May, on which day the First Order is the Town Holdings Bill, in which my hon. Friend the Member for West St. Pancras is much interested. Unfortunately, he is not here now, or he would put in a claim for consideration on that ground. I think we have shown by the Divisions which have taken place on two recent Wednesdays how much interest is taken in the town lands question. The right hon. Gentleman the First Lord of the Treasury is making exceptions with regard to other Bills, but we, because we stand first with the town lands question on the 6th of May, have to lose our place. If this Amendment of the right hon. Gentleman the member for Bury (Sir H. James) is not carried, we do not know that we shall have an opportunity of passing through Committee the Places of Worship Enfranchisement Bill, the Second Reading of which was passed by the largest majority of this Session. If there is to be no protection for the rights of Private Members, the Ballot becomes a farce, and those who are deeply interested in questions of this kind merely waste time when they ballot for a place, and take the necessary precautions to secure the attendance of their friends. We who have precedence on the 6th of May have a perfect right to ask the right hon. Gentleman to exempt that day from the operation of his proposals, and also to ask that the Bills that passed their Second Reading earlier in the Session shall be kept alive. If we do not continue to protest against this continually increasing absorption of Private Members' business, the time will come when Private Members will come down here simply to say "ditto" to what the First Lord of the Treasury says. I think we ought to protest in the strongest language possible against the conduct of the Government.

(5.50.) The House divided:—Ayes 218; Noes 159.—(Div. List, No. 162.)

Another Amendment made, by leaving out the words "If it be appointed for that day."—(*Sir Henry James.*)

Main Question, as amended, proposed.

(6.4.) Dr. CLARK (Caithness): I much regret that in consequence of this proposal a very important Motion affecting the North of Scotland will be prevented coming on. In the month of February my hon. Friend the Member for Sutherland (Mr. A. Sutherland) had a Motion exactly similar before the House. The right hon. Gentleman took his day and since then, unfortunately, there have been some lawlessness and disturbance in the North. The people who are suffering from the grievances to which the Motion relates have not been able to bring those grievances before the House. I do not think the course the right hon. Gentleman is taking will facilitate business. Instead of raising the question we are anxious to raise in a single discussion, we shall be compelled to have three discussions—one on the Supplementary Estimates, a second on the salary of the Secretary for Scotland, and a third on the Vote for the Crofters' Commission. If the right hon. Gentleman were wise he would come to terms with us and give us a couple of hours to-morrow night, in place of the three he is robbing us of.

(6.7.) Mr. A. O'CONNOR (Donegal, E.): I should like to hear from the right hon. Gentleman what are the intentions of the Government with regard to the Vote on Account, with regard to the Land Department Bill, and with regard to the Employers' Liability Bill. The question of employers' liability would have been raised on this side of the House over and over again if the present Government had not repeatedly held out to the working classes the prospect of the passing of a measure which would satisfactorily deal with the question of injury to life and limb in employment. The Government have been dallying the subject before our eyes now for three years.

*(6.8.) Mr. KEAY: I now desire, Sir, with your permission, to conclude the few brief remarks I had commenced when the Amendment was before the House. I have already pointed to the character of my Amendments as proving that they were such as any honest Radical Member of this House would feel himself bound to put down. I have now to address a remark or two to the House on the methods by which those Amendments have been——

*Mr. SPEAKER: Order, order! That would be out of order.

*Mr. KEAY: I am only speaking in general terms, Sir.

*Mr. SPEAKER: That would be quite out of order. It has no relevance whatever to the Resolution.

*Mr. KEAY: I have been accused by the First Lord of the Treasury of needless repetition——

*Mr. SPEAKER: Order, order! I call on Mr. Howell.

(6.10.) Mr. HOWELL (Bethnal Green, N.E.): I wish to protest against the taking away of any opportunity of bringing forward Private Members' business. If I can in any way squeeze in on any of the Votes a Debate on the question in which I am specially interested, I shall certainly do so.

*(6.11.) Mr. ANGUS SUTHERLAND (Sutherland): I wish to add my protest to that of my hon. Friend the Member for Caithness. I have for a long time had a Notice down for the amendment of the Crofters' Act; but I have never been able to secure a place for the discussion. When I had a Motion down earlier in the Session the right hon. Gentleman appeared in his favourite character of confiscator of Private Members' time, and took it away from me. I think the right hon. Gentleman might, at least, have excepted to-morrow evening from the operation of his rule.

(6.12.) Mr. SEXTON (Belfast, W.): I trust the right hon. Gentleman the Leader of the House will be able to give us a prompt reply to the question put to him by my hon. Friend the Member for East Donegal (Mr. A. O'Connor) respecting the Land Department Bill. That Bill has been in Committee for the last five months, but it has never moved on, and I think we are entitled to know what are the intentions of the Government in regard to it. Perhaps if the Government can see their way to take out of the Purchase Bill the clauses relating to the organisation of the Land Department, and deal with it in the Land Department Bill when that Bill comes on, the prospects of the Land Purchase Bill will be improved, and I think that measure would pass through Committee at least by Whitsuntide. I think the present Motion ought not to have been made, because the Government ought to have sufficient intelligence and businesslike capacity to arrange their business so as to suit the settled order of business in the House. I object on principle to such Motions. If it is found, as a matter of experience, that the time of the House is not properly apportioned between the Government and private Members, the question ought to be dealt with not by these random Motions, but by a deliberate amendment of the Rules of the House. When, however, I consider the question from the point of view of the existing situation, I see no objection to the Motion. I think the subject of the Land Purchase Bill is as worthy of the time of the House as any other subject which has come before it, and I wish to say that we are not only willing to allow progress with the Bill, but desirous to promote it. If any hon. Member says we have unnecessarily interfered with, or offered factious opposition to, the progress of the Bill, let me remind him that the rate of progress of the Bill has improved as its discussion has proceeded, and even the right hon. Gentleman the Chief Secretary cannot say that the rate of progress has been unsatisfactory as a whole. As to what has been effected by the discussions that have taken place, I would refer the House to the three clauses already considered in Committee as they originally stood, and as they now appear, and I therefore think I am entitled to claim credit from the Government, not only that we have in no way obstructed the Bill, but that, on the contrary, we have throughout shown a sincere desire to pass a measure which, although of a very complex character, is one of vast importance to Ireland.

*(6.17.) MR. W. H. SMITH: I desire to say that I have not attributed obstruction to the hon. Gentleman the Member for West Belfast (Mr. Sexton), and I am sure he will find if he remembers what I have said that no observation which has fallen from me is capable of bearing any such interpretation. In regard to the remarks of the hon. Gentleman the Member for East Donegal (Mr. A. O'Connor), I have to say that there is no immediate necessity for a Vote on Account, and that no such Vote will be asked for before Whitsuntide. As to the Newfoundland Bill, I hope it will be unnecessary to proceed with it. In that case, after the Land Bill, we shall take the Education Bill. As to the Employers' Liability Bill, my right hon. Friend the Home Secretary made a statement recently, but there is a strong objection to bring in Bills which are not likely to pass. It all rests with the House, and I can only repeat that we do not contemplate asking the House to sit beyond July. Therefore, unless there is a strong probability of our being able to pass that measure through its various stages in the earlier part of July, I do not see how it is to be dealt with this Session. I may also say that I am not at present in a position to give a reply to the question put to me with regard to the provisions relating to the organisation of the Land Department.

MR. PICTON: When the right hon. Gentleman states that it is not proposed to ask for any Vote on Account before Whitsuntide, is that statement to be presumed to imply that a Vote on Account will be taken after Whitsuntide?

(6.20.) MR. FENWICK (Northumberland, Wansbeck): I understand that the right hon. Gentleman the First Lord of the Treasury holds out no hope of the Employers' Liability Bill being passed this Session. That statement will be received with much surprise and regret by a very large number of those who belong to the working classes of this country.

*MR. W. H. SMITH: In answer to what has just fallen from the hon. Member for the Wansbeck Division, I have only to say that it is entirely at the option of hon. Members opposite whether the measure he refers to shall be disposed of this Session. If there is any strong desire to facilitate that and other business there may yet be time for dealing with the measure; but up to the present time quite two-thirds of the time of the House has been occupied by the Opposition.

MR. STOREY (Sunderland): Does the right hon. Gentleman remember any Parliament in which two-thirds of the time of the House has not been occupied by the Opposition?

*Mr. W. H. SMITH: I am certainly not able to remember any Session during the present Parliament in which two-thirds of the time of the House has not been occupied by the Opposition.

Mr. FENWICK: I must express my regret that the right hon. Gentleman the Home Secretary has not yet seen his way to the introduction of the Employers' Liability Bill, seeing that Her Majesty's Government have announced their intention in each of the Queen's Speeches at the opening of the last two Sessions to deal with the question. It now appears that the subject will not be considered even during the present Session. Of course, it is impossible to say how the Government Bill will be received on these Benches until we have had the opportunity of seeing it in print; but, speaking for myself, and, I think I may also say, for those of my colleagues with whom I have been associated in relation to this question, if the Bill is at all a satisfactory one there will be no disposition on our part to obstruct or delay the measure in its passage through the House. I am only sorry that we have not been able to obtain from the Government an assurance affording anything like a reasonable hope that the Bill will be considered this Session.

(6.25.) The House divided:—Ayes 270; Noes 84.—(Div. List, No. 163.)

Resolved, That, whenever the Purchase of Land and Congested Districts (Ireland) Bill is appointed for Tuesday or Friday, the House do meet at Three o'clock, and that the proceedings on that Bill have precedence over all Orders of the Day and Notices of Motion: and that the said Bill have precedence on Wednesday until it shall have passed through Committee.

PRIVATE BILL PROCEDURE (SCOTLAND) BILL COMMITTEE.

Motion made, and Question proposed, "That Sir Edward Harland be discharged from the Committee."—*(The Lord Advocate.)*

(6.42.) Dr. CAMERON (Glasgow, College): I rise for the purpose of opposing the Motion, and will briefly state the reasons which induce me to do so. This Committee consists of 20 Members, five of whom are a quorum. The Committee has only sat on three occasions, the first being the usual formal sitting for the election of a Chairman and the arrangement of the order of business, while on the second and last the business of the Committee has been proceeded with. During the discussions that have already taken place much progress has been made, and I venture to say that almost every point on which there has been any difference of opinion has already been discussed and settled. Indeed, I have little doubt that another sitting will conclude the deliberations of the Committee. The object of having a small quorum is to allow those Members who for any reason are unable to attend to absent themselves without at the same time interfering with the progress of the business. This Committee was appointed on the 9th inst., and on the 16th two of its Members were discharged before business had been commenced. There was good reason for the discharge of those hon. Members, one of whom had been appointed on a Joint Committee of the Lords and Commons, which required his attendance; while the other hon. Member was not in this country. On the 21st inst. we had another change in the composition of the Committee; the right hon. Member for the Stirling Burghs (Mr. Campbell-Bannerman) had been taken ill, and was unable to attend, and another hon. Member was substituted, namely, the hon. Member for Banff (Mr. Duff). This proceeding was justifiable, because it was desirable that there should be a representative of the ex-Cabinet on the Committee; but on the 27th inst. we had another and a wholesale change in the constitution of the Committee, four of its then Members being discharged and four others substituted. It would seem, however, that this was not enough, and we are now asked to make a further alteration in the constitution of the Committee, by discharging two more of its Members and putting two fresh ones in their places. If this proposal is adopted we shall be placed in this position: that at the very last stage of the business of the Committee we shall have had changes in the composition of that body to the extent of nine Members. This can hardly be regarded as a proper system of working Select Committees. On the contrary, it appears to me to be a system which, if generally adopted, would be subversive of the confidence usually felt by this

House in the proceedings of its Committees. One of the advantages of a Select Committee is that its Members are usually more amenable to argument than is the case in the House itself. They listen more attentively to what is said on both sides, and their decisions generally receive the assent of the House. I must protest against the further innovation in the composition of the Committee which is now proposed, as being, at any rate in my experience, altogether unprecedented. If the hon. Members it is proposed to discharge from this Committee cannot attend there is no reason why they should do so. But as it is, these two gentlemen are two of the most valuable Members of the Committee, namely, the Member for North Belfast (Sir E. Harland), and the Member for one of the Divisions of Leeds (Mr. Gerald Balfour). The hon. Member for Leeds has taken a most active and intelligent interest in the business before the Committee, and the same remark applies to the hon. Member for North Belfast. I am sorry they should think themselves unable to attend to-morrow's sitting, which I suppose will finish the whole business, and I hope the Government will postpone their proposal. I do not think there is any necessity or excuse for a proposal which, in my opinion, tends to subvert the system on which Select Committees are based, and to weaken the confidence which this House has hitherto reposed in their decisions.

(6.50.) THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): In answer to the hon. Member for the College Division, I would point out that the two hon. Members whom it is proposed to discharge from the Private Bill Procedure Committee have been appointed by Her Majesty as Members of the Labour Commission, which is to meet for the first time to-morrow at the same hour as the Scotch Procedure Bill Committee. So far, the changes made in the constitution of the Committee have been made on the footing of friendly arrangements between both sides. With regard to the two gentlemen it is proposed to discharge, great importance is attached to the proceedings of the Labour Commission, and to the services of those hon. Members upon that Commission. I may point out with regard to the changes

already made that the illness of the right hon. Member for the Stirling Burghs necessitated one change, but he has fortunately since recovered his health, and on the Motion of my hon. Friend the Patronage Secretary to the Treasury he has been replaced on the Committee. The other changes have also been justified by the circumstances of each case; it has been felt on both sides of the House that the Committee should be a large one—larger than it was when first constituted. It was originally considered that 15 Members would suffice, but, in deference to opinions expressed on the other side of the House, the number was enlarged to 20. As to the progress made by the Committee, about 20 clauses of the Bill still remain to be disposed of, so that there is still a good deal of detail to be gone into. I trust, therefore, the House will agree to this Motion, and thus retain the Committee at its desired numerical strength.

*MR. CAMPBELL-BANNERMAN (Stirling, &c.): There can be no doubt that the changes made in the constitution of the Committee have been somewhat exceptional both in their number and nature. Some of them have undoubtedly been necessary changes. In my own case the course taken was somewhat unusual, because having been discharged in consequence of the state of my health I was shortly afterwards put on again. I am not surprised that my hon. Friend and other hon. Members should be astonished at the numerous changes made in the composition of a Committee which, after all, has only sat 2½ days. With regard to the sitting of the Labour Commission to-morrow, I would say that the hon. Member for Stirlingshire, who is also a member of the Commission, spoke to me on the subject, and I said to him, not from any special knowledge, but as the result of former experience, that in all probability the business at the first meeting of the Labour Commission would be purely formal, and that therefore his attendance would not be absolutely necessary.

DR. CLARK: I only wish to remind the House that the Government placed three Irish Members on this Committee as representing three divisions of Parties, and that two of those Irish Members having been already taken away, they now propose to remove the last in order to replace him by a Scotchman. I am glad the Government are at last showing some inclination to give way to Scotch feeling by the course they are adopting.

*MR. SPEAKER: I must point out to the House that this discussion is not in order, and that I ought now to put the Question to the House.

(6.55.) The House divided:—Ayes 206; Noes 106.—(Div. List, No. 164.)

Motion made, and Question proposed, "That Mr. Gerald Balfour be discharged from the Committee."

(7.2.) DR. CAMERON: I shall not oppose this further discharge from the Committee, but I feel that it is necessary to make a protest against the addition of fresh names to the Committee and the nomination of Members who know nothing of the foregoing proceedings.

Question put, and agreed to.

Ordered, "That Mr. Gerald Balfour be discharged from the Committee."

Motion made, and Question proposed, "That Mr. Anstruther be added to the Committee."—(*The Lord Advocate.*)

(7.3.) DR. CAMERON: My reason for objecting to the addition of fresh Members at this stage is that we have now in Committee almost reached the conclusion of our deliberations. It is quite true that there are a good number of clauses, but the contentious matter has been got rid of, the appointment of the Commission under the Bill has been decided, and what remains is matter of detail, upon which we are fairly agreed. There arises no difference upon Party lines, and the introduction of new Members is to be deprecated at this stage. It is simply an addition to make up the Party majority of two Members who know nothing of what has been done up to the present.

(7.8.) The House divided:—Ayes 186; Noes 96.—(Div. List, No. 165.)

Motion made, and Question proposed, "That Mr. Curzon be added to the Committee."

(7.17.) DR. CAMERON: In making my protest against these changes I did so as a matter of principle, and upon no ground of personal objection to the hon. Members nominated by the Government. They no doubt will make excellent members of the Committee, if new Members under the circumstances can be of any service on the Committee.

Question put, and agreed to.

Ordered, "That Mr. Curzon be added to the Committee."

ORDERS OF THE DAY.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 3.

Question again proposed "That the Clause, as amended, stand part of the Bill."

(7.19.) MR. STOREY (Sunderland): There is no disposition in this or any other quarter of the House to discuss at length a clause which has already been subjected to very substantial criticism; but we desire to make our formal protest against the clause in the only Parliamentary way at our disposal. This is the clause which creates the Guarantee Fund springing from local Irish Funds as a sort of buffer between the operation of the Bill and the liability of the British taxpayer. Now, this guarantee is either real or unreal. If it be unreal, if it is not to be drawn upon, but is simply inserted as a sort of sop to the British public against the wishes of the Irish Members, then it is neither fair or statesmanlike to insert such a clause in the Bill. If, on the other hand, the Government mean this to be a real and substantial guarantee, then we Englishmen protest—and in our protest we shall be joined by many Irish Members—against the Government impounding these local grants made for a specific purpose to the Irish Local Authorities, who have a right to deal with them. Whichever way we look at it, we feel that the clause is one we cannot assent to, and therefore we propose to take a Division against it.

*(7.21.) MR. KEAY (Elgin and Nairn): I do not intend to interpose for any long time between the Committee and a Division; but I desire to call attention to the extraordinary character of the speech

of the Chief Secretary two days ago in replying to myself. I had been pressing him to do his duty—to lead, to guide the Committee in regard to essential provisions in the Bill, and what did the right hon. Gentleman say? "The hon. Member will be more useful to the Committee"—this was the right hon. Gentleman's *ex câthedra* dictum—"if he avoids going back so much on past questions and past replies received." I should correct that by saying "replies *not* received." However, in such replies as they were, the right hon. Gentleman admitted in the plainest manner his great annoyance at my reference to his past speeches. Still, so long as I have the honour of a seat in this House I intend to follow a legitimate Parliamentary practice, and bring forward in Debate whatever inconsistencies, misapprehensions and contradictions I can cull from previous speeches and replies of the right hon. Gentleman. If he wants to stop this he must contrive to destroy all last year's volumes of *Hansard*, and if it were possible for him to do that, no doubt he would make things more pleasant for himself. I warn him that when we reach the 6th clause to which period he has relegated many important points of controversy, I shall have need to make further references to his speeches of last year. There is only one other point in the right hon. Gentleman's speech of the other day to which I desire to call attention now, and that is the extraordinary statement which he made with regard to his joy and delight that the amount of money under this Bill is not fixed at £30,000,000 sterling. Now I prize this statement, for I am convinced that whatever he may think, the country does not share this joy and delight. I wondered when I heard his statement whether he believed that the country was with him in this pleasure which he expressed that the amount in the Bill was purposely left elastic and unknown, so that nobody could say to what extent of capital these loans may be made. Does the right hon. Gentleman want to take the opinion of the country upon this point? I hear that the representation of my constituency is to be contested. Let him send a candidate to fight out the General Election on this ticket, and let that candidate express to the electors that he shares the gratification of the Chief Secretary that £30,000,000 do not represent the limit to which this Bill goes, and if that candidate wins the election in my constituency he will be the most remarkable man who ever went there.

(7.25.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. Balfour, Manchester): I do not rise to reply to the hon. Gentleman who, as usual, has not been able to restrain himself from references to speeches delivered some days ago, but to reply to the hon. Member for Sunderland who has said this guarantee is genuine or not genuine, and that if it is not genuine we are deceiving the British taxpayer, while if it is genuine then we are going to draw upon funds which ought not to be used without the consent of the locality. Now, has the hon. Gentleman never in his experience heard of a guarantee for a loan which it is never anticipated will be used? A more familiar incident in commercial life does not exist. The guarantee may be perfectly genuine, it may be necessary before the lender will make the advance, and yet it can be stated, so far as there is any certainty in human affairs, that the position of the borrower is such that the guarantee will never be drawn upon. That is the case in the majority of mortgages, and as it is in mortgage debts so will it be with these land purchase advances. I do not accept the dilemma the hon. Gentleman offers, not admitting the unfairness of the guarantee or that it is unnecessary.

(7.27.) MR. CONYBEARE (Cornwall, Camborne): On that point I take issue with the right hon. Gentleman. He is convinced of the genuine character of the guarantee, but has he estimated the extent to which it may be possible to draw upon these resources? I take leave to observe that assuming the possibility of having to draw upon this fund you never could collect the money, you could never impound these resources without bringing the whole machinery of your Local Government to an abrupt termination. The value of the guarantee is not to be measured by pounds, shillings, and pence, but by the possibility of realising that guarantee. Is it possible that any sane and constitutional Government could venture to impound these sums of local money intended for local matters, the maintenance of lunatics, the salaries of school teachers, and medical officers and others, and the supply of medicines and surgical appliances to the poor? How are you to carry on Local Government with such an appropriation of local resources? Are you going to open the doors and let your pauper lunatics stream forth all over the land? Can it be supposed that any civilised Government will impound these moneys, and is it not therefore ridiculous to insist that this is a genuine guarantee? No; this is a sham, a bogus, humbugging guarantee, of a Tory character, in fact. It has been proved to demonstration that there may be a deficit to meet at any time. In the ordinary course of things you may have to face a decline in land value, and a bad season may bring a tenant to the ground, and especially is this likely to be the case after those unfortunate people have been coerced into purchasing their holdings at prices far above their fair value. A tenant will be coerced into paying 25 years' purchase for land only worth 10 years' purchase; but, notwithstanding misfortunes that may fall upon agriculture, he will still be expected to keep up punctually the instalments to be paid to the State landlord. It is not only possible, it is probable, that you will have this position, and I maintain it is puerile to consider that this is, under such circumstances, a genuine guarantee. This clause, during the numerous discussions we have had upon it, has been considerably amended, and we ought to know before we part with the clause what the effect of these Amendments really is. We ought to have in full perspective view the operation of the clause; but how can any conscientious politician pass judgment upon it unless he has the amended clause before him? I shall certainly vote against the clause being passed, on that ground.

(7.35.) Mr. SHAW LEFEVRE (Bradford, Central): I have certainly heard in commercial matters of persons giving a guarantee without being called on to pay it, or without in the least anticipating that they would ever be called on to pay it; but the analogy is not complete in this case. In the present instance the Government are forcing a guarantee on the Irish people without their consent, and it is for that reason that I consider it a sham guarantee. It is a guarantee which can never be enforced because the persons you hold responsible are not to be called upon to give their consent to the transaction. And not only that but only nine Irish Members voted in favour of the guarantee, while three times that number of Irish Members voted against it. This shows that the Irish people will not accept the guarantee. The Government will never be able to put the guarantee in force, and consequently it is not a real guarantee. If it were a real one I should be inclined to support it in view of the principle that has already been adopted by us.

(7.38.) Mr. A. J. BALFOUR: The right hon. Gentleman has referred to the majority of the Irish Members against this clause. Well, I admit that the majority of the Irish Members are against this clause, but I think they would accept it rather than not have the Bill, therefore I repudiate the conclusion of the right hon. Gentleman as to the action taken by the hon. Members from Ireland. Nor can I accept the species of public morality which he thinks ought to animate the public bodies in Ireland. He says they will not be able to increase the guarantee because the localities have not been consulted. Suppose the localities had been consulted there would probably always have been a minority, possibly a large one, against the grants being used. Would they be bound by the opinion of the minority or would they not? I apprehend they would not, and that they would only be bound by the opinion of the majority. If they would be bound by the opinion of the majority then I apprehend, as the majority of the House assents to this clause the localities will be bound by it.

Mr. SEXTON (Belfast, W.): The majority of the Irish Members do not assent.

Mr. A. J. BALFOUR: No, the majority of the House has accepted the guarantees, and the whole theory of Representative Government is that the minority shall be bound by the majority.

*(7.40) Mr. SHAW LEFEVRE: I would point out that if this were a question affecting the whole Empire the majority of the whole House would bind the minority. But this is a question purely affecting Ireland, and I contend

that in such a case the opinion of the majority of the Representatives of that country ought to prevail. I would ask the right hon. Gentleman the Chief Secretary if he can produce a case in the whole of our legislation in which a measure of this kind, imposing a guarantee on either Ireland or Scotland, has been carried against the wish of the majority of the Representatives? If he can produce such a case I withdraw my argument. I do not think it possible, however, as I have myself gone carefully through the legislation for England, Ireland, and Scotland.

(7.42.) MR. SEXTON: I think it right to acknowledge that the Amendments made in this clause are neither few nor unimportant, but the fact that we have not these Amendments in print is no reason for fighting against the clause. As to the Amendments which have been made in the clause, I would point out to the hon. Member for Camborne that they cover the order in which the various portions of the Guarantee Fund will be called on to meet default in the payment of annuities. The funds connected with education, lunatics, and medical services will be called on last, so far as one portion of the guarantee is concerned; and as to the Exchequer contribution of £40,000, it will be devoted to the construction of labourers' cottages, and will not be called on for guarantee purposes until after the Probate Duty grant has been exhausted. I am sensible of the importance of these Amendments, and if we were dealing with any part of the Bill except that relating to the local guarantee, I should be disposed to vote in favour of the clause. But we hold that the State, which has created the agrarian system in Ireland and has put the landlords there, should accept the responsibility of taking them away again. If these guarantees are ever resorted to a gross injustice will be done to the people of Ireland. We are now on the question of the local guarantee, and as this clause embodies the principle of local guarantee, I am bound to say that, whilst I recognise the importance of the changes that have been made, I shall be bound to vote against it.

(7.45.) MR. FLYNN (Cork, N.): I object altogether to the principle of these guarantees, and I agree with the hon. Member for West Belfast, when he says that it is the duty of the State at the present time, having brought about the system of landlordism in Ireland, and having given it the complexion and colour it has borne for generations, to meet every possible default. I oppose the principle of guarantee as it stands in the Bill, because it is tyranny. It is a despotism under the form of Constitutional Law, because the Government propose to hypothecate local rates without consulting Local Authorities. Anything more corresponding to the nature of tyranny, it is impossible for a Constitutionalist to imagine. As to the guarantees never being required, I say this Bill offers every scope to the landlords to get an unjustly high price for their land, and if these transactions go on in Ireland, and if there are many of them—as I hold there will be—the guarantees will be called for. In moving the rejection of this clause we are entitled to the assistance of the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) because, speaking on this subject in April of last year he said—

> "Why should not the consent of the Local Authorities be asked? There is no Local Authority that you could put in the Bill, but the Government have promised to bring in a Local Government Bill, and there is no reason why that should not be brought in this year and passed; and when the County Councils are established it will be right to give them a voice in the transactions that would take place in Ireland as to the transfer of land."

The right hon. Gentleman, however, has given us no assistance in this matter. The Chief Secretary is—or so his friends say—a bold man, and he assumes that if the guarantees are called for the Local Authorities will tamely present any amount of money the Lord Lieutenant calls on them to present. But there are precedents in Ireland from which the right hon. Gentleman can easily see that the localities, when they make up their minds that an impost is unjust, refuse to present, and the money cannot be obtained. There is, for instance, the case of the Constable Leahy, who was awarded £1,000 for injuries received by the Grand Jury. There was the greatest difficulty experienced in collecting the money. Then, in the case of the City of Limerick——

The CHAIRMAN: These matters are not relevant to the clause under discussion.

Mr. FLYNN: I would simply call attention to the fact that the Local Authorities not being consulted, it is most unjust to call for these guarantees; and I warn the Government that if these transactions are unduly advantageous to the landlords, there will be great difficulty in getting the local guarantees to be of any avail.

(7.51.) The Committee divided:—Ayes 115; Noes 54.—(Div. List, No. 166.)

Clause 4.

(7.59) Mr. SEXTON: Looking at the number and variety of the Amendments to this clause, I think it would save time if the right hon. Gentleman the Chief Secretary would make a statement as to the modifications, if any, he proposes to adopt. I move to omit the first subsection, which contains provision for the charge on the Guarantee Fund and the consequent levy on the county, and I make the Motion in order to interrogate the right hon. Gentleman as to the vital points of the scheme of the levy. The right hon. Gentleman proposes, in case he has to resort to the Contingent Fund, to make good the amount by a levy on the county through the agency of the Grand Jury. I should like to ask the right hon. Gentleman, who must be well aware that the Grand Jury, as a Fiscal Body, is moribund, and that its control over local finance will speedily come to an end—whether he will be willing to insert a provision to the effect that the levy by the Grand Jury is only to take place pending the introduction of County Councils. The pledge of the Tory Party to give Local Government to Ireland is ripe, by this time, for fulfilment, and I think the right hon. Gentleman will hardly think it unreasonable in me to ask for the insertion of a provision of this kind in the Bill. We know that the Committee on a previous occasion rejected the principle of local control, but never had an opportunity of giving a decision on my Amendment, which proposed that Boards of Guardians first, and afterwards County Councils, should have a voice in the application of the Act. That question will come up again on Report, and I shall certainly claim a decision on it. Though the question of local control may be out of our purview at present, I would ask the right hon. Gentleman whether on this clause he has considered further the question of local option—that is to say, the right of any county to determine whether or not effect shall be given to this Bill. We had a *plébiscite* suggested, but I venture to say that the *plébiscite* proposed would be worse than useless. It would not be applied until the first part of the guarantee was exhausted, when, of course, a great many purchases would have taken place—perhaps a twentieth part of the whole—and it would be too much to expect 19 farmers out of 20, who have been left out in the cold, to deprive themselves of the opportunity of purchasing. They would naturally think that, although the previous purchasers had made default, they themselves would be able to make better terms with the landlords. And after the *plébiscite* was taken you would tell the farmers that they had accepted the Act, and that they had no right to grumble at anything that might follow as a consequence. What I would suggest would be that there should not be a *plébiscite* as of course; but that if the elected Members of any Board of Guardians by a petition to the Sheriff demanded a *plébiscite*, it should be in the power of the Sheriff to have one made, not only as to whether the Act should be discontinued, but whether it should be discontinued or suspended for a year. This would afford something like a real check on the continuity of the operations under the Act. Then I would ask the Chief Secretary why it is proposed to charge the possible burden arising out of default on the county cess? The poor rate has a good deal more to do with the local grants, involving the contingent guarantee, than has the county cess. The county cess is paid by the occupiers; and does the right hon. Gentleman mean to say that this scheme is put forward in the interest of any one class in Ireland? Is this legislation not put forward rather more in the interest of the landlords than the tenants? And if the Bill is needed in the interests of the two great classes of landlords and tenants, why should the burden be thrown on a rate which is paid by one class only? To so allocate it would cause public opinion to go against the Act, and would impede transactions under it. If you consent either to throw the burden on the poor rate borne by all classes, or if you throw it on the county cess and make it divisible between the landlord and tenant—and there are thousands of precedents for such a course in Irish legislation—then I think it would be to the interest of all classes, and would remove what otherwise would be an impediment to the success of the scheme. Then I would remark that there is nothing to prevent the Treasury from taking the money out of the Contingent Fund before the Lord Lieutenant has time to make the levy. I ask the right hon. Gentleman to insert in the clause a provision that it shall not be open to the Treasury to lay hold of the Contingent Fund for the purpose of default until the County Treasurer has had time to obey the requisition of the Lord Lieutenant to levy the money, and to lodge it in the Local Taxation Account. I notice that the procedure with regard to the levy is of the most cast-iron kind, and that no discretion is left to anyone or opportunity given for consideration and representation, the word "shall" appearing in every instance in the clause. I respectfully urge that these matters might fairly be allowed to go before the Presentment Sessions. The right hon. Gentleman will admit that the Treasury have no right to come upon the county until the Land Commission have exhausted their legal power. That leaves over the general question of the Land Commission. They might proceed by civil action against the tenant, or they might say it was no use proceeding by civil action. Now there comes in a matter of opinion. Suppose the Land Commission said they would neither purchase the holding or take civil action, nevertheless they could come upon the county for one-half the default. Would it not be fair to urge that before the Presentment Sessions. Under Clause 6, where there is exceptional distress, the county reserve may be applied. Would it not be more proper that the Grand Jury should have an opportunity of saying that in their judgment there is such exceptional distress as to render it advisable that they should meet these annuities, and default should be met otherwise than by coming on the county already suffering from the burden of an excessive rate? I sincerely hope that the right hon. Gentleman will see his way to afford some relaxation of this point. One other point. The Lord Lieutenant will fix the share of the county in the Guarantee Fund, and that will unalterably govern the amount of Stock issued for the purchase of holdings in the county. The Lord Lieutenant fixes the amount of the burden in case of default, and the amount to be refunded. We know that he is the mere figure-head in matters of administration, and that this work will fall to some official at Dublin Castle, and I submit that the action of the Lord Lieutenant in such important matters should be subject to review. I have made these suggestions in no factious spirit, and, if adopted, I think the progress of the measure would be greatly facilitated.

Amendment proposed, in page 4, to leave out Sub-section (1.)—(*Mr. Sexton.*)

(8.28.) MR. A. J. BALFOUR: Sir, the hon. Gentleman has raised a great many questions of very great importance as far as the clause is concerned, and as far as the whole Bill is concerned. It is true that any scheme of County Councils would disestablish for very large and important purposes connected with finance the Grand Jury. But if compulsory levies are to be made at all, it should not be by Elective Bodies. I cannot hold out any hopes that for the Grand Jury will be substituted any body such as the hon. Gentleman has suggested. With regard to the second point raised by the hon. Gentleman, it is true that, being unable to accept the suggestions of the hon. Member's colleagues and of the right hon. Member for West Birmingham as to local control, I did say that if I were driven to some form of local control, one of the least injurious would be a *plébiscite.* The hon. Gentleman told the Committee that a *plébiscite* would not exercise the power given by Parliament in the direction of stopping the further action of the measure. But the hon. Gentleman's speech on this point does not seem to be quite consistent with itself, for he suggested an Amendment of the plan under which a *plébiscite* should be called upon to say, not whether the Act should be adopted, but, in the first place, whether its operation should be suspended for a year, and at the end of that time whether it should be postponed for another year, and so on from year to year. I do not see in that case that the Act must come into operation at all. However, we ought not to spend much time in discussing a plan which I am not disposed to accept at any stage of the Bill. I never thought it an improvement to the Bill, and in these circumstances I announced to the Committee at an early period that they would hear no more of it from me. With regard to the third point, which deals with the incidence of the rate to be called upon in aid of the Guarantee Fund, the Bill provides that the rate in aid shall be the county cess. The hon. Gentleman preferred that it should be the poor rate. The incidence of the county cess is on the occupier, whether owner or not, while the poor rate is equally divided between the owner and the occupier, except in the case of occupiers below £4, who pay no poor rate; but the incidence of the county cess is really the fairer of the two. There might be some species of combination of which the landlords would not be the authors, and it would be very unfair entirely to relieve occupiers under £4 of any share of responsibility thrown upon them by the Bill. There are large counties in Ireland where the great mass of the occupiers are under £4, and under the hon. Gentleman's proposal this vast body will be wholly relieved of any responsibility consequent on the refusal to pay the annuities, and consequently the opportunity will be lost of putting them on the side of financial honesty. The hon. Gentleman urged that the provisions respecting the county cess would create a species of soreness, and make the occupiers opposed to the whole measure; that it would, in fact, arouse public opinion against it, and make occupiers disinclined to become the owners of their holdings. But I hope and believe that the desire to purchase will be so strong that under no circumstances will an end be put to the operation of the Act. The fourth point raised by the hon. Gentleman had to do with the rigid and automatic character of the provision with regard to the levy of the special rate. I admit the system is rigid, but that is a necessary and essential part of the scheme. If we are not to have these securities called upon by a process inexorable and automatic, the security for the Treasury will be seriously diminished. There is no Presentment Sessions existing which would not find some ground for thinking that there is distress of a sufficiently grave character to warrant them in making use of the reserve fund rather than levy a special rate. Amendments of that kind would seriously impair the character of the securities which the Treasury has at its back, and would have the effect of preventing it from advancing the loan altogether. Therefore, in the interest of the borrower, stringency is an advantage, not a disadvantage. I cannot hold out any hope to the hon. Member that the Government will be able in any material degree to meet his wishes on this point. Another point which has been raised deals with the proposal that some Court shall be instituted to determine questions connected with the allocation of the Guarantee Fund. I admit that the Lord Lieutenant may possibly come sometimes to a decision under a mistaken view of the facts, and that the result may be that a county will have allocated to it more than its fair share of the total Guarantee Fund. Therefore, whilst not attaching great importance to the point myself, I shall be glad to take into consideration any practical proposals on the subject, and I hope to be able to come to an agreement with the hon. Member. (8.38.)

(9.8.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

(9.10.) MR. MAHONY (Meath, N.): The Chief Secretary has objected to substituting the Poor Law for the county cess as the means of levy. The objection so far as it concerns the method of levy is unimportant, but as regards the incidence of taxation the Amendment is very important. County cess, in the vast majority of cases in Ireland, falls solely upon the occupier. This House has already acknowledged the injustice of that by making it law that in all lettings since 1870, the county cess shall be equally divided between occupier and owner except there be some special contract or agreement, and beyond that, I think, in every instance in which this

House has imposed any special levy through the county cess, or certainly in the majority of instances, it has specially directed a division between occupier and owner notwithstanding any agreement to the contrary. That is to say, this House has taken care that when it has made a distinct addition to county cess the House has shown on all occasions that the spirit of the arrangement enacted in 1870 shall be adhered to. The great objection the right hon. Gentleman raised to the poor rate was that in the case of holdings under £4, the poor rate——

THE CHAIRMAN: The hon. Member for West Belfast moved to omit the 1st sub-section in order to enter upon a conversation of a practical character in reference to the clause. In so doing he anticipated by reference certain amendments to the clause, but his observations were of a general character, and such as might facilitate the proceedings in Committee, and were therefore permitted; but if these observations are to be carried into a discussion of a particular Amendment, that must be deferred until the Amendment is reached.

(9.14.) MR. STOREY: I beg to call your attention, Sir, to the fact that there are not 40 Members present.

THE CHAIRMAN: I have so recently satisfied myself that there are 40 Members in attendance that it is unnecessary for me now to count again.

MR. STOREY: I wish to draw your attention, Sir, to the fact that only two Members are on the Treasury Benches opposite. What is the use of pursuing the Debate under such circumstances?

THE CHAIRMAN: Order, order!

MR. MAHONY: I bow to your ruling, Sir, but I may observe that the right hon. Gentleman the Chief Secretary did enter minutely into the particular point I was referring to. There were other references the right hon. Gentleman made upon which I defer remark to a later stage.

(9.15.) MR. SEXTON: As you have observed, Sir, I moved the omission of the sub-section to secure at once an explanation that might expedite the consideration of useful Amendments, and I now ask leave to withdraw my Motion.

Amendment, by leave, withdrawn.

Mr. Mahony

*(9.15.) MR. KNOX (Cavan, N.): On behalf of my hon. Friend (Mr. M. Kenny), I beg to move the Amendment of which he has given notice, the omission of the words "at any time" from the first line of the clause, and its object will be understood by taking this in connection with the subsequent Amendment to line 3. As the liability upon the landlord's guarantee deposit ceases at the end of 18 years, when the fifth of the total sum outstanding has been repaid, so it is proposed by the Amendment that the same Rule shall be applied to the cash and contingent guarantee under the Act. The object of the Amendment might, I think, be stated in the words, so far as I remember them, used by the Chief Secretary when he stated in answer to another argument of my hon. Friend, that in his opinion there was no chance of any default after 18 years. I do not want to enter into the question whether or not the Chief Secretary is justified in forming that opinion, but there is no doubt he formed it deliberately. As he said, after 18 years there is no chance of default, therefore after that time there need be no liability upon the landlord's deposit. Then, for the same reason we contend, taking the premisses of the right hon. Gentleman, there should be no longer any liability upon the county guarantee. I need not enter widely upon the question, the point is plain and simple, and I venture to ask the right hon. Gentleman to consider it with reference to another Amendment of mine to the end of the clause. Without entering into the substance of that Amendment I may say the object is to prevent in some degree what we consider a most disastrous effect likely to arise from this local guarantee. We do not any more than hon. Members opposite expect any large amount of default under the Act, but we do think that if this guarantee is to remain for the whole period of 49 years during which any part of the advances is outstanding, there will be serious risk that the borrowing powers of the Local Authorities will be seriously damaged. These borrowing powers, of course, are measured by the amount of security offered to the lender, and the amount of security will be decreased by the fact that almost all the available sources of Revenue are pledged to a very large

extent, under this Act. I press, therefore, upon the Government that this local guarantee should not be continued for a longer period than is absolutely necessary to prevent loss. If it is the opinion of the Government that after 18 years the apprehension of loss ceases, then I say this liability should not remain in name even upon the Local Authority, diminishing thereby the borrowing powers of all the Local Bodies in Ireland.

Amendment proposed, in page 4, line 1, to leave out the words "at any time."—(*Mr. Knox.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*(9.20.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The hon. Member has stated very concisely the object of the Amendment, and I do not differ from the hon. Gentleman in his forecast, for I believe, and I may say it is the opinion of the Government, that the repayment of an amount representing one-fifth of the advances will be ample security for the State; but, at the same time, the hon. Member must see that his Amendment is at right angles with the principle of the Bill, which differs from the Ashbourne Act in this particular, that it provides not only what we believe to be sufficient security, but an absolute certainty that there shall not in any event be loss to the State. This character of the Bill the Amendment of the hon. Member would remove. I fully believe that we are justified by experience in the opinion that the repayment of the fifth will be sufficient guarantee; but the hon. Member will remember that the object of the Bill is not to leave this as a matter of opinion or speculation, but to make it a mathematical certainty. Therefore, though I do not differ from the hon. Member in his anticipation, it is impossible for the Government to accept the Amendment, which would entirely alter the character of the Bill, which is intended to afford absolute security to the taxpayers of the country.

(9.22.) MR. SEXTON: I regret that the right hon. and learned Gentleman does not see his way to accept this and the Consequential Amendment. I think it is a very great pity that in the case of this guarantee, which is offensive to Irish public feeling and repugnant to the Irish Representatives, the Government should persist in retaining it in existence after a time when they confess it will not be needed. The Attorney General lays stress upon the mathematical certainty of the guarantee; but I think the British taxpayer will be satisfied if the security is absolute, as undoubtedly it will be when the landlord has received his final fifth, which the tenant has provided. There will be then an absolute security in human nature itself, for the tenant having paid so much will not wantonly incur the possibility of the loss of his holding if it can possibly be avoided. If there be default you have the fact that a fifth of the money is paid, you have the Insurance Fund, and you will be enabled to sell the farm without loss. There will be ample security for what is owing to the State. We have put our argument, and we can do no more than protest against the fatuity with which the Government persist in their intention to keep this offensive guarantee in existence.

Question put, and agreed to.

(9.23.) MR. KNOX: I now move my Amendment to line 2, the insertion after "payments" of the words "and the county percentage." I hope there will be no objection to this. If I am to understand that the Government do object, then I must submit the matter for serious consideration whether this county percentage is to be of any real use in the interest of the labourers. As the Bill was originally drawn it would not be a matter of great importance; but as the Attorney General is aware, owing to the acceptance of the Amendment of my hon. Friend the Member for West Belfast, the order of payments out of the various parts of the cash portion of the Guarantee Fund has been changed, and this Amendment becomes of real importance. So far as I can understand the scheme of Clause 2, it is this. The sums paid by the tenants year by year will be applied first to the payment of dividends and Sinking Fund; and, secondly, to the county percentage—that is to say, for every £4 owing by the tenant £3 15s. will be applicable to dividend and Sinking Fund payments, and 5s. will be payable to the county.

If a default on the part of the tenant should arise, if he pays less than the £4, the liability will fall, as I conceive, on the Guarantee Fund. When any considerable number of tenants fail to pay the whole of what is annually due from them, what will be the effect if these words I propose are not inserted? Let us suppose that in any county the tenants pay sufficient for the payment in the year of what is due to dividend and Sinking Fund accounts, but nothing more as the clause is now drawn, in that event there would be no call on the Guarantee Fund, there would simply be no county percentage, and the labourers would get nothing from the Amendment to Clause 2, which has been accepted by the Government. Now, if this Amendment of mine is accepted the effect will be that in the event I have contemplated of a sufficient amount not being paid by the tenants to make up the £4 for dividend, Sinking Fund and county percentage, then the balance would be taken from the Guarantee Fund—the balance will therefore come out of the Irish share of the Probate Duty grant and the Irish share of the Probate Duty grant will be taken before there is any loss to the county percentage, before there is any diminution of the amount of the money we desire should go to the benefit of the labourers of Ireland. If this Amendment is not accepted, the effect will be, that the first charge will be made upon the county percentage, although the Government have in terms accepted the proposal of my hon. Friend the Member for West Belfast, that the last charge shall be upon the county percentage, I venture to say, that if the right hon. Gentleman will consider the point, that really it is a mere farce to enact in Clause 3, that the deficiency is to fall, first upon the Probate Duty grant; secondly, on the Exchequer contribution; and thirdly, on the county percentage, if you so frame Clause 4, that in spite of these provisions you first impose the whole of the failure to pay, upon the county percentage. I must, therefore, press this Amendment as necessary to carry out the intention of the Government expressed in the earlier clause.

Amendment proposed, in page 4, line 2, after the word "payments," to insert the words "and the county percentage."—(*Mr. Knox.*)

Question proposed, "That those words be there inserted."

*(9.29.) MR. MADDEN: I think the illustration which the hon. Gentleman has given will show the Committee that his Amendment is inapplicable. He supposes that the payments from the purchase annuities are sufficient to meet the dividends and Sinking Fund; but not sufficient to produce the county percentage. Very well, if that be so no demand should be made upon the Guarantee Fund. There will be a loss to the county percentage, no doubt, but this county percentage is not to be drawn from the Guarantee Fund, because it was not for the purpose of providing labourers' cottages that the fund was instituted. I fail to see that the hon. Member has made out his case. Assuming his state of facts that the purchase annuities are sufficient to meet the demands for dividends and Sinking Fund, I fail to see there is a case made out for resorting to the cash portion of the Guarantee Fund.

(9.30.) MR. SEXTON: But look at the position. Take the case of £100 advance for purchase. If a man cannot pay the £4 due upon that, the Land Commissioners will not accept part payment, and for default they come upon the Guarantee Fund to make up the requisite £4. That I take to be the enactment arrived at in the earlier clause. The clause provides that the payments are to meet dividends, Sinking Fund, and county percentage, the latter not divisible from the other two. But the right hon. and learned Gentleman, I hope by inadvertence, in his observations, implied that if dividends and Sinking Fund are made right, it does not matter about the county percentage.

*MR. MADDEN: What I said was that if the dividends and Sinking Fund were deficient, they must be met out of the Guarantee Fund, but that the hon. Member (Mr. Knox) had not made out a case for resorting to the Guarantee Fund in the event he contemplated, to make good the Land Purchase Account so far as the county percentage is concerned.

MR. SEXTON: I claim that the objects of Clause 2 must be considered inseparable, and that there is no distinctive treatment of the county percentage. The clause provides that the Commission shall establish a Land Purchase Account, and apply to this all moneys received on account of any purchase annuity for the discharge of an advance. Let me again take the case of an advance of £100 for which the tenant pays £4. You are bound to apply this £2 15s. to the dividends payable on the stock £1 to the Sinking Fund and 5s. for the county percentage. The whole of the clause is of equal validity, and you cannot separate the one purpose from the other? But under this clause as it stands you may apply the annuity so far as it is paid not to the three objects but to two, and I say that would be a violation of the provision in Clause 2 that the county percentage should not "go by the board." We must press this Amendment, which is consequential upon the adoption of Clause 2 as amended.

(9.35.) MR. KNOX: Let me again explain that as the Bill was originally drawn it did not matter, because the full liability in case of default fell upon the percentage, but in this respect a change has been made in deference to the argument of the hon. Member for Belfast. The Government have assented to the change by which the first liability is to fall upon the Irish Probate Duty grant, and only after the whole of that grant has been absorbed is anything to be taken from the Exchequer contribution and the county percentage, which are to be devoted to labourers' dwellings in Ireland. The object of this change obviously was that the labourers might be as sure of getting the 5s. for their dwellings as the Government of getting payment for interest and Sinking Fund. To advert again to the £4 illustration, as soon as the Land Purchase Account is insolvent and cannot meet the payment of £4, then you have at once to go to the Guarantee Fund, that is to say to the Irish Probate Duty grant. Now, if this Amendment is not accepted the effect will be to reduce Clause 3 to a nullity, and the Irish labourer instead of losing his money only in the second resort, will lose it on the first resort in case of default. I venture to suggest that the Amendment is necessary to carry out the intention of the Government as expressed in Clause 3 of this Bill.

(9.37.) MR. STOREY: This seems reasonable, and I am amazed that the Government do not accept the Amendment, for it is entirely in their own favour. I put it to right hon. Gentlemen that for their own sake they should agree to this. Suppose a man has got £100 advance and has to pay £4. If he pays this you apply it in the proportion of £3 15s. to Dividends and Sinking Fund and 5s. to the county contribution. But suppose he pays £3 10s. only, you have a deficiency to provide for, for which the Bill makes no provision so far as the county percentage is concerned. I know it is no use pressing arithmetical arguments upon empty benches, but I hope the right hon. Gentleman will see the Amendment is really in the interest of his own Bill, and I am sure any man with experience of bookkeeping in relation to these monetary transactions will appreciate the difficulties that must arise without such an Amendment as this.

(9.38.) MR. SEXTON: The view taken in the operation of this clause is, that when payments are made for dividends and Sinking Fund the Land Purchase Account is solvent, though the county percentage is left out altogether. But I invite the right hon. Gentleman to look back at Clause 2, and he will find that the language of that clause deals with individual advances. The clause says that the Land Commission shall establish a Land Purchase Account, carry thereto and apply all moneys received on account of any purchase annuity for the discharge of an advance. The clause refers to an individual advance, and goes on to declare that payments shall be made for three specific objects, for dividends on the Stock, for the Sinking Fund, and for the county percentage. Is it not clear that you are as much obliged to fill up the county percentage as to provide the dividends and Sinking Fund? Now, imagine a county in which 21 men have advances, and each owes £4. Twenty of these men pay their instalments, and from these you provide £75 for the dividends and Sinking Fund, and £5 should properly go to the county percentage. But the 21st man fails to pay, and thereupon you appropriate £3 15s. of the instalments that go to make up the £5, to provide for the default of the man who has not paid. What I contend you ought to do is to declare a default of £4 in the Land Purchase Account, and take that from the Guarantee Fund. It is as broad as it is long; having agreed that the Probate Duty grant is the first guarantee, you should provide from that for the Land Purchase Account. If you do not do that you invert the order and place the first charge upon the county percentage instead of on the Probate Duty grant. We really must insist upon the Amendment. We had the greatest trouble in securing this county percentage for the labourers, and if we let this clause pass in this slipshod or malicious form—I will not say which—the result of our efforts which we thought we had secured by the earlier clause will be destroyed.

(9.42.) Mr. PARNELL (Cork): I do not think the hon. Member for Belfast is quite justified in using the expression malicious—perhaps he used it by inadvertance—because this clause was drafted before the county percentage provision was included in the Bill.

Mr. SEXTON: No; there was a provision in the Bill originally for the labourers, though not such a good one as at present. The clause would be equally injurious to the Bill as originally drawn.

Mr. PARNELL: This clause stood before the Amendment for labourers' cottages was drafted into the Bill. May I suggest to the right hon. Gentleman that, master as he is of many points of detail and complexity in this Bill, the Attorney General has not quite grasped the meaning of the Amendment of the hon. Member for Cavan, or the arguments with which it has been supported. Certainly it would be lamentable if we should pass any error in draftsmanship by which the benefit intended for the labourers in Ireland would be lost. What I would suggest would be that the Amendment should be agreed to on the present occasion, and that the right hon. and learned Gentleman should examine the question between now and the Report, with a view of seeing whether it would be necessary to modify it. We ought especially, I think, to ask the right hon. and learned Gentleman now to agree to the insertion of the Amendment, against which he has advanced no case. It seems to me that a great deal of light has been given to us by the two hon. Members; but that no light whatever has been afforded against the Amendment by the right hon. and learned Gentleman. I should think that under these circumstances, the Government would see their way to accept the Amendment on the present occasion, reserving to themselves the right on Report to modify or reject it, if they show cause for such modification or rejection, which they certainly have not done during this discussion.

(9.47.) Mr. A. J. BALFOUR: I think I can show cause to the Committee for not accepting the Amendment of the hon. Member for Cavan. The real substantial question we have to discuss is the order in which the county percentage should be come upon, and undoubtedly, both the hon. Gentlemen the Member for West Belfast and the hon. and learned Member for Cavan, are correct in stating that as the Bill is drawn the persons who will first suffer from any default on the part of the tenants are those who pay the county cess. Let us consider whether that is wrong. The county percentage, recollect, is a tax or tribute paid by the farmers who buy their land at the rate of 4 per cent. The State could lend to them at the rate of £3 15s. per cent. including the Sinking Fund. As a matter of fact, it insists on their paying not £3 15s., but £4 per cent., and the difference between the two we have decided, so far, to give to a class only remotely and indirectly connected with the scheme of land purchase. If you decide—and the hon. Member for Cavan would like to decide—that this 5s. should not be taken first to meet default, but that some other fund should be taken, what fund will it be? If it is the Probate Duty grant it practically means that the whole community is to be fined for the default. Really it seems to me more equitable that those who benefit under the Bill, which confers upon them a free gift, ought to be the first to suffer from the default of their co-beneficiaries, and that therefore it is only right that the loss, if any, should be made good out of the county percentage. I hope I have put the case quite clearly to the Committee. I agree with the hon. Members for West Belfast and Cavan that the people who will first lose the money will be the recipients of the 5s., but I would point out that these people are not deprived of a sum which they at present enjoy, or to which they have the slightest title or claim in equity. They are merely deprived of a bonus or charitable donation which they would never have without this Bill, and I, therefore, think that they, rather than the general community—who, as we have been shown over and over again, are being made liable without their own consent to mortgage their own funds—should be held liable to meet the default of the tenants. For these reasons I venture to think—whatever view hon. Members may take as to the necessity of again raising this discussion on Report—the Committee should not accept the present Amendment.

(9.52.) Mr. SEXTON: What the right hon. Gentleman has succeeded in showing us in his observations is that hon. Members have been kept in the dark as to the intentions of the Government upon this point, as it has been universally understood that the Government intend to throw the loss upon the Probate Duty in the first instance. What we understood when Clause 3 was under discussion was that the sum we had secured for the benefit of the labourers would not be touched until the Probate Duty had been exhausted. It would now appear that we have been in the wrong, though not a syllable has been said until now to make that evident. The right hon. Gentleman has not replied to the invitation I gave him to give us an interpretation of Clause 3. That clause is an effective part of the enactment of Clause 4, which says plainly what you are to do and must do with any money you receive from the purchasers. The 5s. being paid into the County Percentage Fund we have a right to expect that it will remain there and not sink into the sand. On what principle will you say to the men who pay it, "We have not done what Section 2 directs, and paid the money into the County Percentage Fund, but have used the payments of solvent men to defray the default of solvent men, and instead of forming the County Percentage with it we have used it to pay dividends and Sinking Fund." What can you use the money for if you do not use it for the County Percentage?

*Mr. SHAW LEFEVRE: On this point I am disposed to agree with the Chief Secretary. I think the Bill is properly drawn on this point, but, after all, it is not one of extreme importance.

(9.56.) Mr. KNOX: When I prepared the Amendment I relied on the drafting of the Bill and the Amendment the Government had already accepted. I was justified, I maintain, in concluding that the order of liability would be the order in which these various funds are mentioned in Clause 3. If this Amendment is not adopted the words the right hon. Gentleman proposes to insert will be simply farcical, as he proposes to enact at the end of one of the sub-sections that the first charge shall fall on the Irish Probate Duty grant.

Sir G. CAMPBELL (Kirkcaldy, &c.): I do not want to intervene more than I can help in the discussion of these Irish funds, but I do want again to take exception to the assumption that it is safe to lend the money at 3¾ per cent. The quarter per cent is simply a small insurance to meet the failures which may occur in repayment. It seems to me that this margin is no more than any prudent lender would require when he lends large sums to a large number of small borrowers.

(10.0.) Mr. FLYNN: The question is, is this 5s. an integral portion of the purchase annuity, or is it not, and is Clause 2 to work in the manner in which it stands in the Bill or not? Nothing can be more clear than the understanding which was arrived at upon Clause 3, but now we find that the Government intend to swindle the labourers, so to speak, out of the 5s. of the purchase annuity. I do hope the Government will see their way to accept the Amendment.

Mr. A. J. BALFOUR: Clause 2 has been alluded to, and hon. Gentlemen opposite appear to think that there is some inconsistency between that clause as amended, and Clause 4 as it appears in the Bill. Surely they are wrong. Hon. Members opposite would make a tenant pay for the default of a brother tenant, but would leave untouched by that default the labourer who is made the recipient of a charitable donation by the Exchequer. Those who pay their instalments honestly will be indignant if they are to be the first persons come upon in case somebody else does not pay. The tenants would think that those who were in receipt of eleemosynary donations ought to be the first to suffer. I quite admit that the Amendment I put down to carry out the agreement come to on Tuesday will require some verbal Amendment, but not any Amendment to alter the intention with which it has been put down.

(10.6) MR. SEXTON: When the 5s. has been paid into the Land Purchase Account there is no right to use it for any other purpose. Any default ought to be first met out of the Probate Duty, and the County Percentage Fund ought not to be touched until after the Probate Duty fails to meet the default. The Government are breaking faith and are denying to Members the substance of the concession it is believed they made.

*(10.8.) MR. KNOX: Section 2, Sub-section 2, contemplates that under certain circumstances a part of the county percentage shall be paid to the Guarantee Fund. Under Section 4, Sub-section 1, as now drawn, no part of the county percentage will ever get into the Guarantee Fund. We do not now want to enter into the question whether it would be better that the Probate Duty Account or the other account should first pay the deficiency. That is a question which was discussed and decided by the Committee. We do not want to go back to ground which has already been covered, although the right hon. Gentleman by his argument invites us to do so. We see no reason why the Committee should have changed its mind, or the right hon. Gentleman should have changed his since the discussion on the 3rd clause. If the labourers of Ireland are to get anything considerable under this Bill this Amendment must be passed, and I still venture to hope that the right hon. Gentleman will insert these words. They are necessary, in our judgment, to carry out the intention of the clauses of the Bill, and if it be found on Report that we are wrong, we will not then put any difficulty in the way of a change.

(10.12.) MR. J. MORLEY (Newcastle-upon-Tyne): Surely my hon. Friend is reversing the ordinary process. If in the interval between now and Report my hon. Friend is able to convince himself that he is right, he can move the Amendment on the Report.

*MR. KNOX: My right hon. Friend misunderstands me. We are absolutely and certainly convinced that this Amendment is a proper one, and that it is absolutely essential. Therefore I must very regretfully say that we must press it to a Division.

MR. J. MORLEY: I assumed that there was some doubt about the matter in my hon. Friend's mind.

(10.13.) MR. MAHONY: It was in order to ease the doubt existing in the mind of the Chief Secretary that we pointed out that there would be an opportunity for alteration at a later period. I think there is an irresistible case for pressing the Amendment now. As the clause is drawn, it seems to me that the county percentage may never get into the Guarantee Fund. You propose to take a guarantee consisting of the whole local taxation of Ireland, and to do so without the consent of the Irish people. We believe that by so doing you are going to inflict an injury on the taxpayers of Ireland, because you are going to deprive Local Bodies of their credit in the future. The classes in Ireland may be roughly divided into landlords and tenants and the working classes. Both the landlords and the tenants will get a direct benefit under this Bill. You have inserted this provision in order that the labourers may also get a direct benefit under it. Why should the labourers be the first to be deprived of their direct benefit? I have heard the Chief Secretary, I think, argue in this House that one of the advantages of his guarantees would be that if there was repudiation in a district the whole of the district would suffer, and the tenant farmers, the class from which the repudiators come, would suffer. Now you propose to do away with that provision because you say the first people that are to suffer are the labourers. If there is any repudiation let the tenant-farmers be the first to feel it, and do not throw the first injury on the unfortunate labourers, who can have no possible power either to promote repudiation or prevent it. I want to ask the Chief Secretary a question on another point. In case the tenant pays only £3 15s. instead of £4 in any one year, will it be a case of default, and will his interest have to be put up and sold? I would also ask whether this fund will be called upon before the landlord's guarantee deposit or simultaneously with it.

(10.19.) MR. SEXTON: I hope the right hon. Gentleman will not think we are pressing him unduly. I must ask him for a reply to my argument about Section 2. Did not the right hon. Gentleman agree that the first charge for default was to be made upon the Probate Duty? I would beg the right hon. Gentleman to defer to the unanimous opinion of the Irish Members with regard to this Amendment.

MR. A. J. BALFOUR: Any default by the tenant will have to be met in part by a grant from the landlord's Guarantee Fund. It will be quite impossible for the Government to accept the Amendment.

(10.24.) The Committee divided:—Ayes 64; Noes 161.—(Div. List, No. 167.)

(10.36.) MR. SEXTON: I regret, Sir, to be under the necessity of moving that you report Progress and ask leave to sit again. I am obliged to traverse the statement of the right hon. Gentleman that there has not been a breach of faith. I say that Clause 3, as it stands on the official record, is conclusive evidence in support of the case I laid before the House. I was under the disadvantage of arguing from a copy of the Bill in which that clause stood as it was originally drawn, and I had, consequently, to depend upon my memory. But on referring just now to the official record I found that the cash portion of the Guarantee Fund was made up of three parts, which stood in the following order: first, the Irish Probate Duty; second, Exchequer contributions; and third, the county percentage. Later on, after we had considered the contingent part of the fund, the Government accepted an Amendment which stated, with regard to both the cash and the contingent portions, that the several parts should be applicable to the Guarantee Fund in the order specified. Not only are the Government not entitled to retire from that arrangement, I say it is incapable of being altered. I appeal to the Committee as strenuously as I can to stand by that agreement, my view of of which is confirmed by the official records.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Sexton.*)

(10.41.) MR. A. J. BALFOUR: I understand the hon. Member to allege a breach of faith on the part of the Government. I confess that the speech the hon. Gentleman has just made induces me to regret that, with a view of meeting the wishes of Gentlemen opposite, I accepted certain Amendments in Clause 3 for the purpose of facilitating business and making the Bill as far as possible in accordance with the views of all Parties. The fact that the hon. Gentleman has had to refer to the records to see whether any such engagement as he alleges was entered into is conclusive proof that no such engagement was ever made, and that there has been no breach of faith. The order in which payment was to be made was never once in question throughout the Debate. The point (as far as my memory serves me) raised by the hon. Member was whether the Exchequer contribution or the Irish Probate Duty should be first taken, and he urged reasons which induced him to think it desirable to place the Exchequer contribution second instead of first. I did not think it much mattered, so I agreed to the re-arrangement, because the hon. Gentleman wished it. But that the Irish tenant-farmers should be mulct of the grant which this House has given them in order to provide an eleemosynary subscription for the purpose of raising labourers' cottages is a monstrous proposition which I never thought of accepting, and which I never even knew the hon. Gentleman desired me to accept. I repudiate the idea of ever having contemplated so violent or unjustifiable a change in the Bill.

MR. SEXTON: Does the right hon. Gentleman forget his own Amendment "in every financial year, shall be paid in addition to the county percentage." He gave way on our representations, and put the county percentage third.

MR. A. J. BALFOUR: It was purely a matter of drafting.

(10.45.) MR. KNOX: There is a conflict of recollection between us and the Chief Secretary. My recollection is that when the Chief Secretary changed the order in which these payments were mentioned in Clause 3, the change was not a mere matter of drafting, but a matter of substance. If the Chief Secretary did not intend to make any substantial change why did he put down an Amendment in Clause 4 inserting the words "in the order hereinbefore mentioned." Hon. Members may sit in the smoking room while these matters are being discussed and simply come into the House to vote. Indeed, we whose duty it is to be present during the Debate have a painful sense of the way in which the united and unanimous views of the Irish Representatives are thus voted down. Either the right hon. Gentleman's Amendment that the money should be taken "in the order hereinbefore mentioned" was put down by inadvertence or it was put down to carry out a distinct agreement which it is now proposed to break.

*(10.48.) MR. MADDEN: I desire to remind the Committee of what happened in connection with Clause 3. As the clause originally stood, the two funds mentioned were the Exchequer contribution and the Irish Probate Duty grant. Under Clause 2 as it originally stood, the county percentage was to be distributed as a part of the Probate Duty grant, which formed part of the cash portion of the Guarantee Fund. But Clause 2 was remodelled owing to suggestions of hon. Members opposite, and the county percentage was carried in the first instance to the aid of labourers' cottages, and only secondarily to the Probate Duty grant, and it therefore becomes necessary the county percentage should be referred to, in some way, in Clause 3, as forming part in any event of the cash portion of the Guarantee Fund. In the Debate on Clause 3 the whole discussion was as between the Exchequer contribution and the Probate Duty grant, and the county percentage was not mentioned. Then the hon. Member for West Belfast suggested that instead of the words "in addition to the county percentage"—the language of the Chief Secretary's Amendment—the section should run "(3) the county percentage."

MR. SEXTON: The right hon. Gentleman must have realised that when I moved that Amendment I had it in my mind that the items should be liable in that order.

Mr. Knox

*MR. MADDEN: No doubt the hon. Member had it in his mind if he says so, but why did he not state the effect he thus contemplated to the Committee? If he had done so, the Chief Secretary would at once have objected.

MR. SEXTON: Why did the right hon. Gentleman accept my Amendment, stating that the several sums of the cash portion should be liable in the order stated?

*MR. MADDEN: It may have been very stupid, but it will be a warning to the Government not in the future to accept Amendments which are not fully explained. Fortunately there is a stage in every Bill at which errors of this sort which creep in can be corrected.

(10.55.) MR. MAHONY: There seems to be a good deal of difference of recollection in this matter. But there is no getting out of one fact in regard to the order in which the three funds should stand. The Chief Secretary wanted to place the county percentage first, but at the request of my hon. Friend the Member for Belfast he placed it last. After that he agreed to a definite Amendment proposed by my hon. Friend—an Amendment as to which there could be no mistake—which stated distinctly that the funds should be drawn on in the order in which they stood. Surely it is superfluous to ask hon. Members, most of whom were not present at the time the agreement was come to, to carry back their memories. The right hon. Gentleman the Chief Secretary would come out of the matter much better if he made a concession on this point.

(10.57.) MR. J. MORLEY: I think that the tone in which the Chief Secretary replied to my hon. Friend the Member for West Belfast was scarcely justified. It is quite true the hon. Member was not sure of the exact change made till he had consulted the Clerk at the Table; but that consultation only confirmed the impression on his mind which he had stated to the Committee. The order of the items was undoubtedly changed, the county percentage being placed last, after the Exchequer contribution and the Probate Duty grant. After that change was made the hon. Member for West Belfast moved as an Amendment—

"And the several sums constituting the cash portion and the contingent portion respectively of the Guarantee Fund shall be applicable for the purposes of that fund in the order specified in this section."

That Amendment was assented to, and is, in fact, now incorporated in the clause. I maintain that the hon. Member for West Belfast is perfectly justified in the account which he has given of the transaction.

(11.1.) Mr. A. J. BALFOUR: I do not think that the hon. Member for West Belfast is at all justified in his attitude. By this Amendment the county percentage will be placed, not first, but third. Now Clause 3, as amended yesterday, will carry out that proposal. I do not know whether hon. Members opposite realised that when they moved the Amendment to the clause. I was not aware of it myself; I take blame to myself for it. But in my anxiety—my weak anxiety—to meet the wishes of hon. Members opposite, I did not realise that Clause 3, as amended, would have carried out this very proposal. If hon. Members realised it they would not have proposed this Amendment. The Government do not agree with the view taken of the Debates last night, of the propriety of the Amendment we have just debated, or of the propriety of Clause 3, as amended, and on the Report stage I shall move words to restore its original object.

(11.4.) Mr. SEXTON: Clause 3, as it stands, carries out our object. Under it this county percentage is going into the Guarantee Fund, and this Amendment is to secure that it shall do so. Unless the Amendment is carried it may not be paid into the Sinking Fund at all. Of course, if we understand that the reading of the clause is that this county percentage shall be taken out of the Land Purchase Fund immediately, then that to a great extent will get rid of the difficulty, for then Section 3 will remain as it now stands.

Mr. A. J. BALFOUR: No.

Mr. SEXTON: Well, then, what is the position? The right hon. Gentleman accepted the Amendment after full consideration. I distinctly remember that in Debate it was clearly stated that the Probate Duty grant should be the first guarantee, and it was upon this understanding that my Amendment, which had been several days on the Paper, was accepted. I moved it deliberately and with due notice, and the right hon. Gentleman tells us now that he did not know how to regard it then, and that he accepted it not knowing its full scope.

Mr. A. J. BALFOUR: And I did not.

Mr. SEXTON: My Amendment was perfectly plain, and I think a more curious episode never happened in Parliamentary proceedings, that, after an engagement has been solemnly arrived at and ratified, the right hon. Gentleman should express his intention of reversing it at the next stage of the Bill. I think we have shown that we are perfectly consistent in moving this Amendment; and, indeed, it is necessary to bring the county percentage within the scope of Clause 3.

The CHAIRMAN: I do not know that this discussion is relevant to any point before the Committee. Clause 3 is passed and is unalterable. May I suggest to the Committee that it would be well to proceed with the further discussion of the Bill after the Motion has been withdrawn?

(11.8.) Sir G. CAMPBELL: I only hope that a lesson will be learnt from this discussion. I confess, for my own part, to feeling a sort of malicious satisfaction at the position in which the Government find themselves. I was not in the House when Clause 3 was actually passed, but I do know that on the last occasion it was before us there were very few Members of the Committee who really understood the clause. I tried to understand it myself, and I was unsuccessful; and I do not think I need be ashamed of that now that I find the right hon. Gentleman himself has fallen into an error in regard to it. The right hon. Gentleman tried to conciliate Members in the hope of getting the clause passed the other night. He accepted a vast number of Amendments. He turned the clause upside down, and all that is intelligible to me is that £500,000 additional money was to be thrown in as a kind of sop, and we, who are the guardians of the British Treasury, were put wholly out of the running and unable to understand the clause. The clause was not passed on Tuesday, and it appears to have been shoved through this evening under the circumstances in which it was then left, that no Member in the House understood it. I hope the Government will take a lesson from this experience, and not be so anxious to push through clauses in a hurry.

(11.10.) MR. KNOX: The Chief Secretary says that neither my hon. Friend the Member for West Belfast nor myself, in supporting the Amendment, referred to the agreement which was made in reference to Clause 3; but I wish distinctly to remind the Committee that when introducing my Amendment, and during the subsequent discussion, I distinctly based my proposal solely and entirely on what had gone before Clause 3. I described it as a consequential drafting Amendment, and until I heard the latter speech of the Chief Secretary it never entered my mind that the right hon. Gentleman could have any idea of going back upon the solemn agreement arrived at.

DR. TANNER (Cork Co., Mid): I hope that hon. Members will understand that this Motion to report Progress was made and this discussion has arisen solely out of regard for the interests of the unfortunate Irish labourers, which interests are threatened in the clause.

(11.12.) MR. MAHONY: I do not wish to discuss the unalterable nature of Clause 3, but I think I may remind the Chief Secretary that we on this side are anxious to pass the Bill just as he is, although we approach it from different and perhaps opposite points of view. I quite acknowledge that on the whole he has met us with a certain amount of concession, and I think he will be wise not to go back upon the concessions he has made. I trust he will be content to let Clause 3 remain as it now stands.

MR. A. J. BALFOUR: I cannot agree to sacrifice the rights of the tenants of Ireland to the interests of the Irish labourers.

THE CHAIRMAN: Does the hon. Member withdraw his Motion?

MR. SEXTON: No, Sir. I propose to take a Division.

(11.15.) The Committee divided:—Ayes 92; Noes 164.—(Div. List., No. 168.)

(11.23.) MR. T. M. HEALY (Longford, N.): I beg, Sir, to move that you do now leave the Chair; and I make the Motion on this ground. We have now reached what I conceive to be a most critical point in the fortunes of this Bill, and the Government cannot expect at this hour of the night, and after the events which have occurred, to make much more progress. It is not, therefore, unnatural or unreasonable that we should request them now to take the time between this and to-morrow morning to consider the very important events of to-night, which have changed the temper of this Committee. I think it will not be denied that we on this side received in a conciliatory spirit and certainly with great satisfaction the important concession made to Irish labourers by the Government; and the result of that concession has been shown in the spirit in which the Debate has been conducted on this side of the House since. Now, there has arisen to-night a considerable amount of warmth and friction; and it appears to have arisen through the right hon. Gentleman not having taken into his purview the whole of the provisions arising upon this and the preceding clause. I confess I am surprised at the attitude he has taken, and the more so when I look to the Amendment which stands in his name at the foot of the page; and if anything could convey to my mind that he wished to seal the contract and agreement entered, it is to be found in this deliberate notice he has put upon the Paper. For myself, I am anxious to see the Bill pass in a workable shape; and we cannot consent to see the provision in respect to Irish labourers passed in a form which must reduce it to a dead letter; and the only advantage that will come out of this Bill will be to one agricultural tenant in every four throughout Ireland. I do not address myself to the argument that the Chief Secretary did not fully understand the force of the Amendment he accepted the other night. I cannot understand that he—one of the astutest men in the House—could have fallen into error in this particular. However, I think that the Government would do well, seeing that we are within half an hour of midnight, and there being other business on the Paper to proceed with, to accept, not this Motion I know, but the alternative Motion, to report Progress and afford us a little time for consideration before resuming our discussion.

THE CHAIRMAN: The point which has occupied the attention of the Committee for some time does not arise again upon the Amendment standing next. A discussion upon that Amendment may possibly occupy half an hour and may restore the Committee to a businesslike condition. I consider that the Motion the hon. and learned Gentleman desires to move will be an abuse of the Forms of the House, and therefore I refrain from putting it.

(11.28.) MR. KNOX: The Amendment which we have considered and voted upon, or voted upon without consideration, was one that in ordinary honesty should have been accepted simply as a drafting and consequential Amendment.

THE CHAIRMAN: I beg the hon. Member to resume a businesslike temper and address himself to the Amendment of which he has given notice.

MR. KNOX: If words have escaped me which I ought not to have used I withdraw them, but I confess it is somewhat difficult for me to resume a business-like temper when we find ourselves dealt with in such an unbusiness-like manner this evening by the right hon. Gentleman in charge of the Bill. The Amendment which I have now to propose is one which, if it had not been for the recent experience, I should say the Government would certainly accept. As the Bill stands there may at least be considerable doubt whether the land lord's guarantee deposit is to be the first thing taken, or whether the charge is to fall upon the Guarantee Fund before anything is taken out of the guarantee deposit. Is it the intention that the landlord is to bear his equal share of the losses that may accrue? If that is the intention, then I hope the right hon. Gentleman will accept the Amendment I now move.

Amendment proposed, in page 4, line 3, after the word "deficiency," to insert the words "so far as it is not payable out of the guarantee deposits."—(*Mr. Knox.*)

Question proposed, "That those words be there inserted."

(11.30.) MR. A. J. BALFOUR: The hon. Member seems to think that there is some doubt as to the order in which the guarantee shall be taken, but in the opinion of the Government there is no doubt at all as to what the order is. The guarantee deposit will be taken *pari passu* with the Guarantee Fund. There is no doubt at all about this, and I do not think the Amendment makes the clause one bit clearer.

MR. KNOX: The Chief Secretary lays down a temporary and a permanent order. I do not find in the Bill anything that provides that the guarantee deposit shall be paid into the Guarantee Fund. It appears to me that there is no provision of the kind for the repayment of the Guarantee Fund.

MR. SEXTON: My hon. Friend said nothing about the order of the calls. All that he aims at is to secure that the whole amount of the default shall not come out of the Guarantee Fund. Has the right hon. and learned Gentleman any objection to our proposition that security shall be given for only one half of the Guarantee Fund?

*MR. MADDEN: Yes, I have. I conceive that the Bill is right as it stands. If these words were introduced the Consolidated Fund would never be recouped from the Guarantee Fund until the process of realising the guarantee deposit had been gone through.

(11.35.) The Committee divided: Ayes, 93; Noes, 162—(Div. List, No. 169.)

(11.47.) THE CHAIRMAN: The Amendment standing on the Paper in the name of the hon. Member for West Belfast (Mr. Sexton) is inconsistent with Clause 3 as settled.

MR. SEXTON: Would the right hon. Gentleman the Chief Secretary prefer to leave out the words—

> "And such charge shall be paid first out of the cash portion of the fund and out of the Exchequer contribution?"

MR. A. J. BALFOUR: As I propose to alter Clause 3 on Report, I propose to move the omission of the words.

MR. SEXTON: I would move to leave out all the words after the word "and in line 8.

Amendment proposed in page 4, line 8, to leave out all the words after the word "and."—(*Mr. Sexton.*)

Question, "That the words proposed to be left out stand part of the clause,"—put, and negatived.

(11.51.) MR. KNOX: I beg to move to add after the word "fund" the words—

"Such charge shall be payable out of the various portions of the cash and contingent portion of the Guarantee Fund in the order hereinbefore mentioned."

THE CHAIRMAN: I must point out to the hon. Member that in Clause 3 it is provided that both the cash portion and the contingent portion shall be applicable in the order there mentioned.

MR. KNOX: Might I ask whether the Amendment in the name of the Chief Secretary was unnecessary, considering what had been done in Clause 3?

THE CHAIRMAN: Yes. Does the hon. Member propose to press his Amendment?

MR. SEXTON: I think that is rather a question for the right hon. Gentleman the Chief Secretary. He said he preferred to leave out the words. As, however, another hon. Member has made use of the words of the right hon. Gentleman it will be interesting to know how he will deal with them.

THE CHAIRMAN: I would ask the hon. Member what he proposes to do with his Amendment.

MR. KNOX: I want to follow the order in Clause 3. That is the object of the Amendment.

(11.55.) THE CHAIRMAN: If the hon. Member will do that it will be in order.

Amendment proposed,

In page 4, line 7, after the word "Fund," to insert the words "and such charge shall be payable out of the cash and contingent portions of the Guarantee Fund in the order hereinbefore mentioned."—(*Mr. Knox.*)

Question proposed, "That those words be there inserted."

(11.56.) MR. T. M. HEALY: I think we are entitled to some explanation from the Chief Secretary about his own words. I have heard of a minister eating his words, but never of one refusing to eat them. These being the words of the right hon. Gentleman, I invite him to partake of them.

MR. STOREY: This seems to me an absolute comedy of errors. If the right hon. Gentleman will take time to consider this matter to-morrow I think he will find that the Members behind me have been fighting all night for that which is more to the advantage of the Government than to their own advantage. I think the clause as it stands is really ridiculous. I would suggest to him that when once he introduces a reference to the county contributions into Clause 3 he will find it absolutely necessary, in order to make the Bill symmetrical, to introduce the same thing into Clause 4. I am sure, if he will take the hint and consider this, he will do wisely.

MR. JOICEY (Durham, Chester-le-Street): I have listened to the Debate that has been going on for some time, and I must say that, with regard to these various Amendments, the Committee seems rather in a muddle. I think it desirable that some more time should be taken to consider the effect of the Amendment, and I, therefore, move that the Chairman report Progress and ask leave to sit again.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." —(*Mr. Joicey.*)

(11.59.) MR. CONYBEARE: I want to ask the right hon. Gentleman whether, considering the muddle we have all got into——[*Laughter.*] Well, I have taken no part in this discussion, but I can see that the Committee has got into a muddle. I pointed out, at an earlier period, the injustice of not having the amended form of Clause 3 before us, and I venture again to say that if we had had it before us we should have been spared all this comedy of errors. I would ask the Attorney General for Ireland if he will undertake that we shall have the printed copy of the amended form of Clause 3 before the Committee to-morrow.

Question put and agreed to.

Committee report Progress; to sit again to-morrow.

SLANDER OF WOMEN BILL.—(No. 150.)

Considered in Committee, and Reported, without Amendment; read the third time, and passed.

House adjourned at ten minutes past Twelve o'clock.

HOUSE OF LORDS,

Friday, 1st May, 1891.

THE MANIPUR DISASTER.

QUESTION—OBSERVATIONS.

*The Marquess of RIPON: My Lords, seeing the noble Viscount the Secretary of State for India in his place, I am anxious to ask him a question of which he has received private notice. I am desirous of knowing whether he can inform the House if there is any foundation for the statement which has appeared in some of the newspapers that it was intended to summon the Maharajah of Manipur and other native princes to a Durbar at Manipur, and then at that Durbar or immediately afterwards to arrest some of them; and whether, if the statement is correct, as I hope and believe it is not, that proceeding had the authority of the Government of India? I need not point out the extreme importance of the question, and I will only express my own feeling and opinion in the matter: it seems to me incredible from my experience of Mr. Quinton and my knowledge of his character, that he could possibly have had any part in any proceeding of an unworthy or dishonourable kind.

*The SECRETARY of STATE for INDIA (Viscount Cross): In answer to the question of the noble Marquess, I have only to state that my information does not lead me to believe that the Government of India ever contemplated that the Senaputty would be invited to a Durbar with the intention of then arresting him there. I should have been much surprised if this had been done. As to what were the actual facts it is impossible for me at this moment to make any statement, because the Viceroy has not yet had the opportunity of obtaining all the information necessary, which in due time he will, no doubt, obtain. In the meantime, I do not think it would be right to lay Papers on the Table of your Lordships' House in an incomplete state, but I am expecting further Despatches, and as soon as the Papers are complete they will be presented to Parliament.

SLANDER OF WOMEN BILL.

Brought from the Commons; Read 1ª; and to be printed. (No. 111.)

CHARITIES (RECOVERY) BILL.

(No. 84.)

Read 3ª (according to order) with the Amendment; a further Amendment made: Bill passed, and returned to the Commons.

House adjourned at twenty-five minutes before Five o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 1st May, 1891.

EAST INDIA (FINANCIAL STATEMENT.)

Address for, "Copy of the East Indian Financial Statement for 1891--92."—(*Mr. Howorth.*)

EAST INDIA (FACTORY ACT.)

Address for, "Return of further Correspondence relating to the Amendment of the Indian Factory Act of 1881 by Indian Factory Act XI. of 1891 (in continuation of Parliamentary Paper, No. 120 of Session 1891)."—(*Sir G. Campbell.*)

QUESTIONS.

MANIPUR.

Mr. CREMER (Shoreditch, Haggerston): I beg to ask the Under Secretary of State for India whether his attention has been called to letters which appeared in the *Times* on the 29th inst. from Mrs. Grimwood and Lieutenant Albert Wood, concerning the way in which the massacre at Manipur commenced; if he can inform the House whether the statement in regard to the attempt to capture the Jubraj is true; and whether the agent was authorised; and, if so, by whom, to capture the Jubraj, and the reasons which prompted such attempt?

Mr. DONALD CRAWFORD (Lanark, N.E.): May I be allowed to put to the right hon. Gentleman a question on the same subject for which I have given him notice for Monday next, namely, whether he will lay on the Table a copy of the Instructions which were given for the expedition to Manipur?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The information in the possession of the Secretary of State does not lead him to believe that the Government of India contemplated that the Senaputty should be invited to a Durbar with the intention of his being arrested. My noble Friend informs me that he should be much surprised if that were so. The Papers on the subject will be presented to Parliament as soon as the information is more complete than it is at the present time.

MR. CREMER: Will the right hon. Gentleman be kind enough to inform the House whether it is true that an attempt was made to capture the Jubraj, and, if so, on whose authority the attempt was made. Had the Political Agent received any instructions from the Indian Government, or was he acting entirely on his own responsibility?

*SIR J. GORST: I am sorry that I am not able to answer the question, nor has the Secretary of State received information that will enable him to answer it. The officers who were engaged in the expedition have unhappily been killed, and probably all official records have been destroyed. Certainly at the present moment there is no information in the possession of my noble Friend the Secretary of State that would enable him to reply to the question. I may mention that Despatches are on their way, and we expect to receive them on Monday next. Immediately on receipt of the Despatches, Papers will be laid upon the Table of the House, and probably they will give all the information the hon. Member desires to have.

MR. CREMER: I beg to give notice that I will repeat the question on Monday.

OPIUM SMUGGLING FROM HONG KONG.

MR. WEBB (Waterford, W.): I beg to ask the Under Secretary of State for the Colonies whether his attention has been called to a correspondence between the Hong Kong, Canton, and Macao Steamboat Company, and the China Navigation Company, on the one side, and the Government of Hong Kong, on the other side, in which the companies complain that opium has been smuggled, or been attempted to be smuggled, from Hong Kong to China in their vessels, without their knowledge, but with the connivance, and for the profit of the opium farmer at Hong Kong; and whether the Secretary of State will urge the Government of Hong Kong to adopt, and enforce, all such measures as may be necessary for the prevention of smuggling?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): My attention has not been called to any such correspondence as is referred to by the hon. Member, but the Secretary of State has every reason to believe that the Government of Hong Kong already enforces such measures as appear to be practicable for the prevention of smuggling. A Report will, however, be called for from the Governor on the subject.

*MR. WEBB: I shall take the liberty of sending the correspondence to the right hon. Gentleman.

NATAL.

MR. HULSE (Salisbury): I beg to ask the Under Secretary of State for the Colonies if the Home Government are prepared to approve of the proposed alterations in the internal government of the Crown Colony of Natal, in view of the fact that the majority of votes recorded by the European population in Natal was only 2,596 against 2,503?

BARON H. DE WORMS: My hon. Friend is under some misapprehension as to the exact numbers voting at the last general election in Natal. The numbers were 2,121 in favour of the proposed constitutional changes; and 1,937 against. The number of Members returned in favour of them was 14, and 10 against—the majority being thus one-sixth of the number of Members selected. Under these circumstances, it is not the intention of Her Majesty's Government to withdraw the question from further consideration.

SIR R. FOWLER (London): May I ask my right hon. Friend whether the Secretary of State has advised Her Majesty to assent to these constitutional changes?

Baron H. de WORMS: No, Sir. As I have explained before to the House, there are certain questions still pending between the Natal Government and Her Majesty's Government, and when they are settled, and settled satisfactorily, the question of approving the proposed changes will be considered.

THE CIVIL SERVICE.

Mr. KELLY (Camberwell, N.): I beg to ask the Secretary to the Treasury whether he will state the date in which payment of overtime for Second Division Clerks at the uniform rate of 1s. 6d. per hour was sanctioned by the Treasury; and whether it is intended that all Second Division Clerks should, in the event of their being called upon to work overtime, be paid at the same rate without distinction of any kind as to the Department in which they might be serving?

The SECRETARY to the TREASURY (Mr. Jackson, Leeds, N.): As I stated on the 20th April, there is no general Treasury Minute laying down the rule for Second Division Clerks overtime. I cannot, therefore, give the date. Moreover the Treasury has not enjoined a uniform rate, as the hon. Member appears to suppose. All that the Treasury has done is to refuse sanction to any rate in excess of 1s. 6d. an hour in any Department, and within that limit the Heads of Departments may assign such overtime payments as they may deem expedient. It is not intended to make any change in this rule.

Mr. KELLY: I beg to ask the Secretary to the Treasury whether he will take into consideration the desirability of promoting some of those Civil Service Writers who were recommended for promotion under the Treasury Minute of December, 1886, and could not be promoted to a permanent junior class in such an office as the Education Department where, owing to the great increase of work, the present staff must necessarily be shortly augmented?

Mr. JACKSON: I am not aware that there is any application from the Education Department for an increase of staff, and I am sure that my hon. Friend will agree with me that it would be very undesirable, if such an application were made, that the Treasury should be hampered in dealing with it by pledges given on a partial view of the circumstances.

CYPRUS.

Mr. E. ROBERTSON (Dundee): I beg to ask the Under Secretary of State for the Colonies whether the Legislative Council of Cyprus has passed a resolution in favour of a proposition for the construction of a railway in that Island; and, if so, whether Her Majesty's Government will render any assistance in carrying out the project, either by giving a limited guarantee or by itself constructing the main lines as "protective" railways, in accordance with the practice adopted in India; and what, if any, is the present limit of borrowing on public works in Cyprus?

Baron H. de WORMS: The Secretary of State has no official information of such a resolution having been passed, but a project for the construction of lines of railway has been submitted to the Local Government, and is under consideration. Cyprus has never borrowed money for any purpose whatever.

HOLIDAYS IN THE POST OFFICE.

Mr. WALLACE (Edinburgh, E.): I beg to ask the Postmaster General whether, from the 1st July last year till the beginning of this year, four public holidays have been paid for to clerks in England and only three in Scotland; and, if so, whether any compensation will be given to the Scottish clerks for the loss of the day's payment?

The POSTMASTER GENERAL (Mr. Raikes, Cambridge University): Arrangements have been made that for the future Post Office servants in Scotland shall be given holidays on fast days or other days, generally observed as holidays in Scotland, in lieu of those days which are held to be Bank Holidays in England but not in Scotland, so that the number of holidays granted in the two Divisions of the Kingdom will be the same.

GRANTS IN AID OF TECHNICAL INSTRUCTION.

Mr. D. THOMAS (Merthyr Tydvil): I beg to ask the Vice President of the Committee of Council on Education whether it is competent for a Local Authority to set aside part of the Parliamentary grants in aid of technical and manual instruction for the purpose of encouraging, by means of prizes at public competitions, efficiency in timbering, rock-boring. wire-rope splicing, and other work requiring technical skill in connection with colliery operations?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): Such subjects of instruction may very properly be included among those to which aid is given, but, as I have already stated in regard to agriculture, I think the special form in which it is proposed to distribute the grant may be open to exception as to its legality, although something might depend upon the method of its connection with some general scheme of instruction in mining.

LICENSED VICTUALLERS' MEASURES.

MR. D. THOMAS: I beg to ask the Secretary of State for the Home Department if he is aware of the inconvenience caused to licensed victuallers and their customers by a recent decision that the sale of beer by retail in the measure known as the "blue," commonly in use in South Wales, is illegal; whether he will introduce a short Bill this Session to amend "The Licensing Act, 1872," in order to legalise the "blue," and so remove the inconvenience; and if not, whether the Government will afford facilities for the passage of such a Bill introduced by a Private Member?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): No representation on this subject has reached me. I understand that my right hon. Friend the President of the Board of Trade recently informed a deputation that waited upon him that there were objections to legalising the "blue." A measure of similar capacity was once legal, but was abolished, as it was found to tend to fraud. The Government will not assist in promoting legislation for this object.

THE ROYAL IRISH CONSTABULARY.

MR. O'NEILL (Antrim, Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will state the reasons for the proposed change of the head quarters of the Royal Irish Constabulary from Ballymena to Lisburn; if he is aware that Ballymena is the centre of the county, with railway communication north, south, and east, and sufficient hotel accommodation, whereas Lisburn is situated at the extreme south of the county, and, therefore, much more difficult of access to the greater part of the county; and what steps he will take to prevent the proposed change?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I do not know that I can add anything to the answer which I gave to a question on the same subject by the hon. and learned Member for North Longford (Mr. T. M. Healy), namely, that—

> "The removal of the head quarters of the Royal Irish Constabulary of the County Antrim from Ballymena to Lisburn has been for some time under consideration, and has been decided upon in the public interest. Next to Belfast, Lisburn is now the largest and most important town in the county; its population has within a few years largely increased. It is close to the Assize town where all the county officers reside, and possesses the requirements necessary for the accommodation of the county head quarters of the Force. The change is being made on the recommendation of the Inspector General."

The Inspector General, however, adds that a difficulty is now experienced in obtaining a suitable house for the County Inpector at Lisburn, and that the removal of the head quarters has, therefore, been, for the present, suspended.

INLAND REVENUE OFFICE, BELFAST.

MR. M'CARTAN (Down, S.): I beg to ask the Secretary to the Treasury whether he is aware of the very large number of agreements, deeds of transfer, &c., which have to be sent from Belfast to Dublin daily to be stamped there; and whether, considering the delay and inconvenience involved thereby, he will inquire if arrangements can be made whereby such stamps might be impressed at the Inland Revenue Office, Belfast?

MR. JACKSON: The Government is quite aware of the importance of the business transacted at Belfast for which stamps are required, and with a view to meet the convenience of the inhabitants, the Treasury has already sanctioned a plan for the extension of stamping facilities to Belfast, and it will be put in operation as soon as the necessary arrangements can be made.

LAND COMMISSION—"WEAVER *v.* HERON."

Mr. M'CARTAN: I beg to ask the Attorney General for Ireland whether his attention has been called to a decision, given by the Chief Land Commission at Belfast on 12th November last, in the case of Mr. John Weaver, tenant, whose family have been in possession of the holding for over 200 years, and Mr. Francis Heron, landlord, where the landlord appealed from an order of the Sub-Commissioners fixing a fair rent on the tenant's holding on the ground of the reduction of rent and not on a point of law; whether he is aware that the Chief Commission, guided by the decision in "Battersby *v.* Caroll," dismissed the tenants's application on the point of law that the lease contained a covenant enabling the landlord to resume a small portion of the holding for planting or other purposes; whether he is also aware that the Land Commission was at the time asked to state a case for the Court of Appeal, and that at the last County Court at Newtownards this landlord obtained a decree of ejectment against Weaver by reason of this decision; and whether, considering that the decision in "Battersby *v.* Caroll" has since been departed from in the case of Mooney, tenant, Wilcocks, landlord, reported in the *Irish Times* of 10th February last, he will support a Bill to have the law declared or amended in such cases?

The ATTORNEY GENERAL for IRELAND (Mr. Madden, Dublin University): My attention has been called by the question to the decision referred to. It is the fact that the Chief Commissioners dismissed the tenant's application following the decision of the Court of Appeal in "Battersby *v.* Caroll." I am informed that the Land Commission, on the application of the tenant, gave his leave, on the 18th of November, to state a case for the decision of the Court of Appeal. Under the Rules of the Land Commission, the person to whom leave is granted to have a case stated is bound to prepare it and lodge it within one month from the order giving leave. Although now five months have elapsed, no steps have been taken by the tenant. The case of "Mooney *v.* Wilcocks," referred to in the last paragraph of the question, has not yet been reported in the Law Reports. But on comparing the newspaper report of that case with the report of "Battersby *v.* Caroll," I find the facts to be nothing difficult, and I cannot accept the statement that any uncertainty has been introduced into the law by the recent decision.

LAND COMMISSION—CAVAN.

Mr. KNOX (Cavan, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how many appeals *re* fair rent were heard by the Land Commission, recently sitting in Cavan; and in how many of such cases the rent, as fixed by the Sub-Commissioners, was raised, and in how many lowered?

Mr. A. J. BALFOUR: The Irish Land Commissioners report that at their recent sitting at Cavan there were 124 appeals listed, which were disposed of as follows: Judicial rent confirmed, 50; judicial rent raised, 43; judicial rent lowered, 2; appeals settled, 15; appeals adjourned, 3; appeals struck out, 2; originating notices dismissed, 5; dismissal of originating notice reversed, 1; judgment reserved, 3; total, 124.

RATHDOWN UNION CEMETERY.

Sir T. ESMONDE (Dublin Co., S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if, in view of the desire of the ratepayers of the Rathdown Union to have chaplains appointed to the Union Cemetery, he would use his influence with the Rathdown Board of Guardians to induce them to favourably consider the ratepayers' request?

Mr. A. J. BALFOUR: An application of the nature mentioned in this Question appears to have been made to the Rathdown Board of Guardians in February last. The matter is one wholly for the consideration of the Guardians, and the Local Government Board are unable to interfere.

FLOODS IN BELFAST.

Mr. SEXTON (Belfast, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that serious floods have occurred in Shore Street, Weaver Street, and Millwater Street, in the City of Belfast, owing to encroachments in the course of the Millwater River within the city boundary for certain improvements; that, in consequence, the channel of this river is now insufficient to discharge the water after any heavy rainfall; and that great damage has been done to property and the inhabitants; whether he is aware that the Corporation permitted these alterations to be made, although warned of the consequences, and now disclaim all liability, and refuse to take steps to prevent recurrence of disaster; and whether, in view of the fact that the Corporation of Belfast are fully empowered to deal with such a case, both by their local Acts and also as the Sanitary Authority under the Public Health Acts, what steps the Government will take to cause the application of a remedy in the case?

MR. A. J. BALFOUR: The Town Clerk of Belfast reports that in November last, after an exceptionally heavy rainfall, houses in the vicinity of the water-course of the Millwater River were flooded. But that the Corporation neither sanctioned, nor were they in any way a party to the alteration of the old course. Not owning any property in the neighbourhood, the Corporation felt unable to take any action beyond making representations to the parties concerned, who, however, have, it appears, agreed to remove the cause of complaint.

MR. SEXTON: There have been two disastrous floods within a few years. What is the public authority which ought to attend to the matter?

MR. A. J. BALFOUR: I must ask the hon. Gentleman to give notice of the question.

THE REPRESENTATION OF THE PEOPLE ACT IN IRELAND.

MR. TUITE (Westmeath, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state what means are adopted yearly by the Local Government Board for Ireland to insure that the provisions of "The Representation of the People Act, 1884," and "The Parliamentary Registration Act, 1885," are duly carried out by the officers of the Poor Law Unions in Ireland; whether he is aware that in many Unions the requisition forms specified in the 3rd schedule of "The Representation of the People Act, 1884," have not been distributed since 1885; and whether he will instruct the clerks of the different Poor Law Unions throughout Ireland to have the said

forms duly served in their respective Unions on every person rated or liable to be rated, as provided for by the 9th section of the said Act?

MR. A. J. BALFOUR: Boards of Guardians and their clerks are, under the Representation of the People Act, 1884, declared "overseers" to carry out that Act. It does not devolve on the Local Government Board to issue instructions in the matter. I am not aware that overseers have neglected their duty as to the distribution of requisition forms, but, if so, the persons aggrieved have a remedy provided in the Statute which declares that—

> "Any overseer who fails to perform his duty under this section shall be deemed guilty of a breach of duty in the execution of the Registration Acts, and shall be liable to be fined accordingly a sum not exceeding forty shillings for each default."

NON-RESIDENT FARMS IN IRELAND.

MR. KNOX: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can now give the valuation of the farms in each province in Ireland which, according to his estimate, will be excluded by Clause 6 of the Land Purchase Bill as pasture and as held by non-resident tenants?

MR. A. J. BALFOUR: For all Ireland the farms excluded as non-resident are roughly estimated at 12,000, with a valuation of £604,000. They are made up thus:—Ulster 2,500, with a valuation of £67,000; Leinster, 3,300, valuation £238,000; Munster, 3,400, valuation £152,000; Connaught, 2,800, valuation £147,000. For all Ireland the farms excluded as pasture are roughly estimated at 52,000, with a valuation, roughly speaking, of £2,000,000. I have not yet got this total divided into provinces. It must be borne in mind that the two classes overlap, and that some farms excluded as grazing are independently excluded as non-residential. Of course too much reliance must not be placed on these figures, which at best are merely an approximation.

MR. KNOX: The figures given by the right hon. Gentleman now differ somewhat from those which he gave in answer to a similar question the other day.

MR. A. J. BALFOUR: That is quite possible, but I have not got the terms of my former answer. As I have said, the figures are only an approximation.

Mr. T. M. HEALY (Longford, N.) May I ask the right hon. Gentleman if he will lay this valuable and interesting information on the Table of the House in the form of a Return?

Mr. A. J. BALFOUR: The information is not of such an authentic nature that it ought to be included in a Return. I only give it as an approximate.

Mr. T. M. HEALY: Without the information being binding upon the right hon. Gentleman, will he give it *quantum valeat?*

Mr. A. J. BALFOUR: I do not think that that would be a good practice.

DONAGHADEE HARBOUR.

Mr. M'CARTAN: I beg to ask the Secretary to the Treasury what is the amount which he proposed to expend in improving the harbour at Donaghadee; and whether, in the public interest, the work will be proceeded with notwithstanding the protest made by a local gentleman as to the insufficiency of the work proposed to be done?

Mr. JACKSON: I am not able to answer the question as to the amount proposed to be expended in dredging the harbour of Donaghadee. I stated on a former occasion that the Treasury could not sanction the proposed expenditure, because it was considered to be much more than was necessary for such a work.

A QUESTION OF ORDER.

Mr. BUCHANAN (Edinburgh, W.): I desire to ask your ruling, Sir, upon a point of Order in connection with the Orders of the Day, namely, whether, in view of the Motion passed yesterday, giving the Government precedence on Tuesdays and Fridays for the Land Purchase Bill, they are entitled to place to-night in the Orders of the Day before Supply Orders 2, 3, and 4 (Mail Ships Bill, Public Accounts and Charges Bill, and Summary Jurisdiction (Youthful Offenders) Bill), and whether the purport of the Motion was not this—that on Fridays the Purchase of Land Bill should have the first place, and then Supply, and that on Tuesdays the second place should be given to Private Members' Motions.

*Mr. SPEAKER: I replied to a similar question in answer to the hon. Member for Donegal (Mr. A. O'Connor) on the 17th of June, 1887. There is nothing in the Standing Orders to show that if Supply is not placed first it ought to be put second on a Friday. The Standing Order XI. has been superseded, so to speak, by the Resolution passed yesterday, giving precedence to the Irish Land Purchase Bill over all Orders of the Day and Notices of Motion. The hon. Member asks why Supply was not put second. If Supply had been put second, there being no effective Supply down, the only result would have been that the Government would put off Supply as soon as that Order was reached. Friday is a Government night, subject only to the limitation of Supply standing first. If Supply can be got out of the way, the Government take the other Orders of the Day. On a Tuesday the case would be different. Precedence would be given to the Land Bill; and if the proceedings thereon came to an end any time before 12 o'clock, of course Private Members would re-enter into their rights. Notices would be next taken, the precedence being given only for that particular Government Order.

Sir W. HARCOURT (Derby): May I ask you, Sir, as a matter of form, whether you are to be understood to say that the Resolution of yesterday, practically speaking, repeals Standing Order XI., which says—

> "That while the Committees of Supply and Ways and Means are open to the first Order of the Day on Friday shall be either Supply or Ways and Means, and that on that Order being read the Question shall be proposed 'That Mr. Speaker do now leave the Chair?'"

Am I to understand that it is not necessary to have any formal Resolution to suspend that Standing Order?

*Mr. SPEAKER: It is virtually a repeal, or rather a suspension, so often as the Land Purchase Bill is appointed on Friday. Otherwise Supply would stand first, and I should have to propose the Question "That I now leave the Chair," on which Private Members' Motions would come on in the usual way, but then the Resolution of yesterday would be rendered inoperative and ineffective. When precedence is given to particular business it, implies the suspension of the Standing Orders ordinarily regulating the course of business.

PERSONAL EXPLANATION.—MR. MAHONY AND MR. HALLEY STEWART.

MR. MAHONY (Meath, N): I am anxious, with the leave of the House, to make a short personal explanation. A paragraph has appeared in a daily newspaper in reference to a speech that was delivered by an hon. Member of this House last Sunday.

An hon. MEMBER: What paper?

MR. MAHONY: In a paper called the *National Press.* The paragraph is as follows:—

> "A few days ago a paragraph appeared relating to a conversation between an hon. Member for one of the Eastern Counties of Ireland and Mr. Halley Stewart. That hon. Member was Mr. Pierce Mahony. Speaking to Mr. Stewart in the House of Commons, Mr. Mahony said, 'My dear Halley Stewart, if you knew the Irish priests as well as I do, you would cut off your right hand before you would be associated with the Party with whom they are connected.'"

I think that the House will agree with me in expressing surprise, and in characterising as a regrettable incident the fact that what purports to be a report of a private conversation that occurred in this House should by any means have found its way into the public Press, whether the version was correct or not. But in my case the matter is aggravated by the account being absolutely inaccurate and misleading. It attributes to me sentiments regarding the whole body of the Irish priests which I do not hold, and have never held, and have never given utterance to, and it is particularly painful to me, because I do not happen to belong to the Roman Catholic Church. There are many clergymen in Ireland who are members of that Church with whom I have been brought into contact towards whom I entertain feelings of the greatest possible respect. [Mr. T. M. HEALY: Order, order!] If I am out of order the right hon. Gentleman in the Chair will call me to order. [Mr. T. M. HEALY: Order, order!] The hon. Member for North Longford may rest assured that no observations or interruptions from him will prevent me from making my statement. The substance of what I did say in that private conversation was this—I was alluding to the action not of the general body of the Irish priests, but to that of a small section of them at the present crisis, and to the claims which certain ecclesiastics in Ireland have advanced, which I as a Protestant can only view with sorrow and dismay, and I said that if the hon. Member and his friends realised the nature and extent of that action they would not be so ready to identify themselves with that section of Irish Members who rely on actions of that kind. I thank the House for having allowed me to make this explanation.

MESSAGE FROM THE LORDS.

That they have agreed to,—Army Schools Bill; Merchandise Marks Bill; London (City) Trial of Civil Causes Bill. without Amendment.

ORDERS OF THE DAY.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Clause 4.

Amendment proposed,

In page 4, line 7, after the word "Fund," to insert the words "and such charge shall be payable out of the cash and contingent portions of the Guarantee Fund in the order hereinbefore mentioned."—(*Mr. Knox.*)

Question again proposed, "That those words be there inserted."

(4.10.) MR. SEXTON (Belfast, W.): I think that the Government, in declining to accept this Amendment, are violating the agreement they deliberately entered into when Clause 3 was under discussion. There was a clear understanding that the Amendment was to be looked upon as of a consequential character. The Amendment of my hon. Friend the Member for Cavan (Mr. Knox) proposes to apply a particular provision to Clause 4, and I hope the Chief Secretary will inform the Committee if he has anything to add to the statement which he made last night. It has come to our knowledge accidentally that the Government regard the most important of the Amendments made in Clause 3 as having been accepted in ignorance, and that they propose to strike them out on Report. I certainly understood the right hon.

Gentleman to say that these Amendments were to be regarded as consequential. I submit that he was not taken by surprise, but that there was a distinct Amendment on the Paper which provided that the Guarantee Fund should consist, in addition to the county percentage, of two other sums. There was a proposal that the county percentage should be first drawn upon, but the right hon. Gentleman did not move it. In so doing he showed that he was sensible of the propriety of allowing a certain order to be observed in regard to the guarantee. The agreement was entered into by the right hon. Gentleman and by the Attorney General for Ireland with deliberation, and they cannot now rely upon the plea of simplicity, and say that they did not understand the force of the arrangement they entered into. I appeal to the right hon. Gentleman, for the sake of the progress of the Bill and the good relation which exists between members in different parts of the House, to give an undertaking that he will not, on Report, endeavour to affect the arrangement which has been come to. If the right hon. Gentleman will leave the clause as it stands we on our part will not press the Amendment moved last night. We will be satisfied with the transfer from the Land Purchase Guarantee Fund of whatever may be got as a balance, but let it be drawn upon in the order already agreed.

(4.20.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I will endeavour to explain the misapprehension, but, in the first instance, I will point out the parts of the hon. Gentleman's speech with which I agree. I agree with him that he did put down on the Paper an Amendment designed to allocate £40,000 of the Probate Duty first, and that he placed two out of the three contributory funds in such a position that they would be drawn upon before the county percentage was touched. I agree also that the Government assented to the Amendment proposed by himself, which had for its object the alteration of the order in which the various funds in Clause 3 were to be utilised, and to provide that one fund should be exhausted before the next in order was touched. But I do not agree with the hon. Member that there was any such understanding as he asserts with reference to the 5s. percentage, nor do I admit that the Government had anything of the kind in their minds when they consented to stereotype the order of the contributory funds, nor is there any evidence that either he or his hon. Friends near him had such a proposal prominently before their own eyes.

MR. SEXTON: That was distinctly the object of the Amendment, and the Government assented to the county percentage coming last.

MR. A. J. BALFOUR: No, Sir; nothing appeared in the Amendment or in the speech of the hon. Member to show in the most remote manner that that was either directly or indirectly the object in view. I have looked through the reports of the Debates upon the Bill, and neither in the *Times*, the *Freeman's Journal*, the *National Press*, nor in *Hansard*, of which I have the reports of our proceedings up to Friday last, can I find any reference to such a proposal in regard to the 5s. percentage, nor can I find at what stage of our proceedings the Amendment referred to last night was introduced. If anything was said upon the matter, it must have been incidentally in the course of some conversation across the Table, and not in serious debate. Indeed, it was neither debated, discussed, nor alluded to regularly in any speech.

MR. SEXTON: The matter was mentioned when the right hon. Gentleman agreed to withdraw, and not to move, his proposed Amendment, by which the county percentage was to be made the first fund drawn upon.

MR. A. J. BALFOUR: What was then said had reference to the propriety of the county percentage being dealt with by a later sub-head; but no argument was addressed to the Committee in favour of putting it lowest down in the order. If such a proposal had been made, I should have risen at once to urge the impropriety of leaving untouched this contribution, made simply out of charity. ["Oh, oh!"] The question was regarded as settled, and when the Amendment was brought forward immediately after dinner last night, hon. Members certainly did not appear to be conscious that the matter had been mentioned in any previous Debate. The Amendment, however, was introduced, not as a Consequential Amendment, but as a substantive alteration in the Bill.

Mr. KNOX (Cavan, W.): I proposed it as a drafting Amendment, imagining that it would be disposed of in two minutes. It was only after the right hon. Gentleman the Attorney General for Ireland shook his head and said that he could not regard it as a drafting Amendment that I went into the merits of the question.

Mr. A. J. BALFOUR: I was not present at the time; but my right hon. and learned Friend says that the hon. Member did not explain that it was to carry out what had already been agreed upon in Clause 3. We had not Clause 3, as amended, before us. On the whole, I see no reason to alter the view I expressed last night that the Amendment in Clause 3 was introduced accidentally; and I should not have assented to it if I had been aware of what was being done. I shall advise the House, on the Report stage, to restore the clause to the form in which I believed that the discussion had left it.

(4.26.) Mr. MAHONY (Meath, N.): The right hon. Gentleman says that the hon. Member for Cavan did not move this as a Consequential Amendment, but I distinctly remember that when my hon. Friend got up he said that he would save the time of the Committee by simply moving it formally. He was only induced to discuss the Amendment at length because the Attorney General by shaking his head intimated that he intended to object to it. My hon. Friend at once expressed his astonishment at the right hon. and learned Gentleman's dissent. My hon. Friend the Member for West Belfast (Mr. Sexton) has now made a proposal which, I think, will be a very fair compromise. The right hon. Gentleman objects that the 5s. county percentage should be carefully guarded and that other funds should be used first in case of the Guarantee Fund becoming cut down, and the hon. Member for Belfast proposes that Clause 3 shall be allowed to remain as it now stands. The effect of this would be that, while the full amount of the annual instalments of the 5s. percentage from the repayments for the holding would go into the Guarantee Fund, it would not be required to make up any deficiency until the two other funds which stand in front have been exhausted. Consequently, in the event of repudiation the 5s. for the labourers would never reach the Guarantee Fund, and until it reached the Guarantee Fund it would not reach the labourers, and to that extent the labourers would suffer. But although the 5s. might not reach the Guarantee Fund unless it were supplied by the sale of the tenant's property, if there was a deficiency beyond what was thus realised, it would become a charge upon the Guarantee Fund in the ordinary way.

(4.32.) Mr. SEXTON: I hope that the right hon. Gentleman will find that my proposal is worthy of consideration. I think that it would be rather hard if the consequence of the Amendment proposed last were to be to require a deficiency in the land purchase account to be made good out of the Probate grant; but what I now ask is that where the tenant pays the full £4 on his advance of £100, the 5s. county percentage should be placed in the Guarantee Fund and allowed to remain there. If the right hon. Gentleman will accept that compromise, I believe we shall be able to get on with the Bill.

(4.35.) Mr. J. MORLEY (Newcastle-upon-Tyne): May I remind the Committee that I supported the Government last night because I thought the Chief Secretary was right in his view of the effect of the Amendment. But after the proposal now made by the hon. Member for West Belfast I think the Government would be well advised in acceding to the suggested compromise.

(4.36.) Sir G. CAMPBELL (Kirkcaldy, &c.): My great doubt is whether the Amendment is required at all. There can be little doubt that there has been a deplorable waste of time over the measure. We do not like the Bill, but at the same time we profess that we are anxious to get on with it, and get to free education. If that is so, it seems to me that it would be better to allow the Amendment to be withdrawn, and, if necessary, reconsider it on Report.

*(4.38.) The ATTORNEY GENERAL for IRELAND (Mr. Madden, Dublin University): I think it is due to the hon. Member for Cavan (Mr. Knox), to say that he did move his Amendment at

first as consequential, but when that view was dissented from he at once went into the substance of the Amendment, without in any way explaining in what way it was merely a drafting or consequential Amendment. The Amendment was discussed, not as a consequential Amendment, but as a substantive proposition. We accepted an Amendment across the floor of the House.

MR. SEXTON: What does the right hon. and learned Gentleman mean by accepting an Amendment across the floor of the House?

*MR. MADDEN: I mean accepting an Amendment not put down on the Paper, but moved by an hon. Gentleman opposite. I would remind the Committee that on Clause 2 I warned hon. Gentlemen opposite that in an intricate and complicated question such as this it is exceedingly dangerous to accept Amendments without the fullest consideration, and that the best way would be to re-consider the matter on Report.

(4.40.) MR. A. J. BALFOUR: Although I am unwilling to give a final judgment on the Amendment suggested by the hon. Member for West Belfast, I am quite willing to withdraw unreservedly from the position I took up last night as to restoring Clause 3 upon Report, and will give full consideration to the suggestion of the hon. Gentleman, and if I possibly can, give effect to it upon Report.

MR. SEXTON: I thank the right hon. Gentleman for the assurance which I have no doubt he will carry out, and I would suggest to my hon. Friend that he should ask leave to withdraw the Amendment.

(4.41.) MR. KNOX: I beg to ask leave to withdraw the Amendment.

MR. PARNELL (Cork): I hope I am entitled to express a hope, viewing the way in which the right hon. Gentleman has met them on this important question, that hon. Members who have Amendments on the Paper will consider it part of their duty to look over the numerous Amendments with a view to making a selection of the most important questions on which they desire to obtain the judgment of the Committee. If they will do so, I am sure that opportunities will be given them which otherwise they may lose of bringing forward important matters, the discussion of which would be of considerable service to the country.

(4.42.) MR. T. M. HEALY (Longford, N.): We entirely appreciate the spirit in which the Chief Secretary has met us in this matter, and we have shown on former occasions our willingness to meet him in the same spirit. As for the hon. Gentleman who has just sat down, he is not entitled to express any hope with reference to our conduct. We have repudiated him from first to last, and if the Government desire to get on with the Bill, the less attention they pay to any suggestions from the hon. Member the better.

MR. FITZGERALD (Longford, S.): We also are entitled to repudiate the action of the hon. Member for Longford and his Friends, which we think is not calculated to promote the progress of the Bill.

THE CHAIRMAN: Order, order!

(4.43.) MR. SEXTON: Without raising any contentious matter I may say I think the Chief Secretary will admit that on both Clauses 2 and 3 I endeavoured to open the discussion of each by eliciting from him a general statement as to the intentions of the Government, with a view to limiting the Debates and number of Divisions. We have thus tried to economise the time of the Committee.

MR. PARNELL: I expressly guarded myself from expressing any hope with regard to the action of the hon. Member for Longford. I may tell him I shall reserve to myself the right to express my opinion either on this Committee or in this House on any questions affecting Ireland, undeterred by any exasperating remarks from the hon. Member.

Amendment, by leave, withdrawn.

(4.45.) MR. LABOUCHERE (Northampton): I gather from the Chief Secretary that he really intends not to use the Guarantee Fund, or to make a special levy on the country, until he has used all legal means to recover the annuity from persons primarily responsible, and I have therefore put down this Amendment to make it distinctly clear that that is the right hon. Gentleman's intention. I need not point out it is only right and proper that all means of getting the money from the person who has had the advantage of it should be exhausted before you come either on the taxpayers of Ireland or of the United Kingdom. I want the Chief Secretary to assure me that he will stand by what he has said so frequently in the course of these Debates, namely, that he will cause evictions to take place before coming on the Guarantee Fund; otherwise when the Irish Executive have in hand moneys paid into the Guarantee Fund they may refrain from enforcing the payment of the annuities on the purchasing tenants and come instead on the taxpayers generally. I think the best plan will be for the Government to accept the Amendment, which puts the right hon. Gentleman's assurance into a definite form.

Amendment proposed, in page 4, line 9, at end to insert—

"Provided that no sum shall be paid to the Land Purchase Account by the Guarantee Fund, in respect to a failure to pay a purchase annuity, unless the Land Commission shall have exhausted all legal proceedings competent to them for the recovery of the sum due."—(*Mr. Labouchere.*)

(4.47.) MR. A. J. BALFOUR: It is not possible for the Government to accept this Amendment, because they have no control over the proceedings of the Land Commission. It will be the duty of the Commission to obtain the money and to use all the means in their power to do so, but we cannot make any such rule as the hon. Gentleman suggests. The hon. Member will further see that a great hardship would be inflicted on the British Exchequer, which would be kept out of its money until proceedings are taken in Ireland. Of course, it must be left to the Land Commission to say when a sale shall take place in order that the greatest amount of assets may be realised in the interest of the taxpayer, of the tenants themselves, and of the Local Authority.

MR. J. MORLEY: I am quite disposed to agree with what has fallen from the right hon. Gentleman. I think that there should be no cast-iron rules imposed on the Land Commission, but that the question should be left to their discretion.

(4.50.) MR. LABOUCHERE: I am quite content to accept the suggestion of the right hon. Gentleman (Mr. Morley) if I am to understand it to be the intention of the framers of this Bill that as a general rule the evictions must take place before you can come upon the guarantees. The right hon. Gentleman the Chief Secretary says he cannot oblige the Land Commissioners to take a particular course, but if I am to understand him to state for the guidance of the Commissioners that this is the intention of the Government I will not press my Amendment.

MR. A. J. BALFOUR: I cannot, of course, interfere with the Land Commissioners in the exercise of their duty, but I think the hon. Member may take it that I am not averse to the course suggested.

MR. LABOUCHERE: Then, Sir, I ask leave to withdraw my Amendment.

Amendment, by leave, withdrawn.

(4.53.) MR. MAHONY: I beg now to move the Amendment standing in my name, in page 4, line 10, after the word "if" to insert—

"In any county where the ratepayers have signified their assent in the manner hereinafter provided."

The object of this Amendment is to provide that the taxpayers of a county who are going to be forced by this Bill to give certain guarantees should have at any rate the opportunity of consenting or dissenting before a special rate is directed by the Lord Lieutenant to be made. The Amendment will not interfere with the cash portion of the guarantee. And in so far as it does not do that, it will accord with the view expressed by the Chief Secretary in a dim and shadowy manner in the earlier part of the Committee's proceedings. The right hon. Gentleman has more than once stated that his proposal with regard to a *plébiscite* has not been received with approval by the Committee, but I do not think that that is a fair way of putting what has really happened. What has happened is this. Many Members of the Committee have expressed a decided approval of another form of obtaining the assent of the taxpayers. We asked the Chief Secretary to assent to a provision requiring the approval of the County Council to the guarantee, but that was decided in the negative. We now want the Chief Secretary to say distinctly whether he will allow the taxpayers to express by *plébiscite* whether the contingent portion of the Guarantee Fund should be put in operation or not. I understand that the right hon. Gentleman was willing to confer on the taxpayers certain powers with regard to that portion of the fund. For my own part, I would prefer that the proposal of the Government should be modified in the direction of giving the taxpayers power to consent to pledge a certain portion of their security at a time, but sooner than get no concession on the subject we would agree to the proposal that the taxpayers should have power to assent or dissent for a certain period. This Amendment will, of course, require a consequential Amendment, which is not yet on the Paper, but will depend upon the answer given by the Chief Secretary. I now beg to ask the Chief Secretary whether he will be prepared, if there is now any expression of opinion from any considerable section of the Committee, to bring in this *plébiscite* which I have foreshadowed in the earlier stage of the Committee.

Amendment proposed,

In page 4, line 10, after the word "if," to insert the words "in any county where the ratepayers have signified their assent in the manner hereinafter provided."—(*Mr. Mahony.*)

Question proposed, "That those words be there inserted."

(5.0.) MR. PARNELL: I appeal to the Chief Secretary not to dismiss too hurriedly the suggestion which has been made in this Amendment, or to close the door against further consideration of the question of a *plébiscite.* It is quite true, as stated by the Member for Meath (Mr. Mahony), that we should have preferred to have had this question referred to a Local Government Authority to be set up in the Irish counties, but as that has not been found possible, it appears to me that the next best course to adopt was that which shaped itself in the mind of the right hon. Gentleman, but which was not insisted upon owing to the want of support on the part of the Committee. Still I think, from the point of view taken by the right hon. Gentleman, we should be wrong in eleminating the question of the *plébiscite* altogether. I have always been desirous that, in connection with land purchase, there should be no repudiation, because I believe that the use of British credit would very materially facilitate a solution of the land question, but at the same time I maintain that the proposal to hypothecate local resources without the consent of ratepayers is one which Irish Members ought not to countenance without obtaining some form of local control. The best form of local control is that which would permit the ratepayers from time to time to say whether or not the Act should be put into operation, but there is a tolerable alternative. Let the Act operate for a year without the consent of the ratepayers being required, and then we should be in a better position to judge whether they would wish its operation to continue. That would be the second best form of local control, and I would place the proposal of the right hon. Gentleman in the third class as the next best form of local control. I would rather have the right hon. Gentleman's system than none at all, because it does recognise the principle of throwing on those who may have to pay the responsibility of saying whether the Act should operate or not. Certainly some system might wisely be adopted by the Government for recognising the principle of local control, and thereby freeing themselves from the reproach which undoubtedly exists of having shown an utter disregard of those principles of local government so successfully applied in England and Scotland.

(5.10.) MR. A. J. BALFOUR: The Committee have long known that the hon. Member for Cork holds the views which he has just expressed. The question now under discussion has been dealt with fully on several occasions during the progress of the Bill, and I have not much to add to what I have already said on the subject. There are not more than a certain number of definite arguments which can be adduced one way or the other. The argument in favour of local control has been considerably exaggerated in one respect. The difficulty—if a difficulty exists—would not really be met by the modification suggested by the hon. Member. After all, the counties are bound, under any scheme, to meet any deficiency occurring over more than a generation and a half in the repayments to the Guarantee Funds. I have never thought that the introduction of local control in the form of a control exercised by Representative Bodies would give any substantially increased security for the repayments to the Exchequer. I will point out to the Committee that if this matter is to be brought up again it can only be done effectively in a new clause; but as far as the action of the Government is concerned I have nothing to add to what has been said before.

Mr. SEXTON: The only form of local control which I should regard as at all effective would be a control exercised by an elective Local Body upon individual transactions under the Act, whether it were the sale of a holding or of an estate. If liabilities are imposed on the ratepayers in Ireland in respect of transactions with which as a body they have no concern, there can be only two justifications of such a course. The first is to procure the assent of the ratepayers, which has not been done; and the second is to give them such control over the accruing of the liability as would disentitle them afterwards to repudiate their responsibility. I think it is cruel to put the farmers in any county into the position of saying whether they will part with the Act altogether, or whether they will be responsible for the full balance of transactions. Two questions should be put—first, whether the Act should be contined any longer; and, secondly, whether it should be suspended for a year, another *plébiscite* to be taken as to whether the suspension should be continued or not? This would be a kind of automatic arrangement which would not interfere with the operation of the Act in any district where the farmers were disposed to view its transactions with favour.

Mr. MAHONY: I do not think that this is an inopportune moment to raise this discussion. I shall press the matter to a Division because, as an Irish Representative, I feel that I have no mandate or authority from the taxpayers in Ireland to place this burden upon them without their consent.

(5.20.) Sir G. TREVELYAN (Bridgeton, Glasgow): I think that hon. Members will be perfectly justified in pressing this Amendment to a Division. The Chief Secretary has spoken of the moral sanction which the *plébiscite* would give to the diposition of the contingent Guarantee Fund; but this is not the most important part of the question. I look upon this as the last and only remaining popular check on the system of land purchase. See what we have done already; we have practically withdrawn the Commissioners from any supervision or criticism by Parliament, which would be a very serious thing if the new clause, to be proposed by the hon. Member for South Tyrone (Mr. T. W. Russell), is accepted, and if the Land Commissioners, who are to have charge of the Purchase Department should be other than the special Purchase Commissioners, in whom at present so many of us have the greatest confidence. In every other part of the Kingdom, except in Ireland, power is given for the purchase of allotments and small holdings on the principle of local control, and is Parliament going to reject this principle when dealing with a similar scheme, but on a much larger scale, which affects the tenants of Ireland, and involves the expenditure of £30,000,000 of money? No doubt a *plebiscite* is a very imperfect form of local control, but it may be an effective one. The people of the locality would watch how the Commissioners act; and if they find that particular landlords have got the ear of the Commissioners, they will give a vote which will have the effect of suspending any more purchases for the time being, and the result will be that the Commissioners will be kept in check.

(5.30.) Mr. A. J. BALFOUR: The right hon. Gentleman argued that under the Bill as it stood, and as it might be modified by the Amendment of the hon. Member for South Tyrone, the Land Commissioners would not be under any responsibility to Parliament, Parliament would not know what was going on; and in lieu of Parliamentary control some substitute in the shape of control by the locality would have to be invented and applied. Now, in the first place, Parliament could not be deprived of the means of knowing what was being done by the Commissioners; and if the necessity should arise, Parliament would have the power of altering the whole system of land purchase in Ireland. This Parliament could not prevent its successor from finding out what is being done in Ireland. All that would be effected by the present Bill with respect to the Land Commissioners is that any particular action of theirs should not be discussed on the Estimates. I therefore deny the first proposition of the right hon. Gentleman. I also deny that a *plébiscite* would form a sort of substitute for Parliamentary control. The right hon. Gentleman thinks that the Commissioners would be frightened if the Act were suspended for a year or two. But why should they be frightened. Their salaries would be paid all the same, and not the slightest injury of any shape or kind would be done to them. If he thinks a *plébiscite* would have such an effect he never would have suggested it. According to the right hon. Gentleman, a *plébiscite* would show whether the price was what the farmers would like to give, and if it was not, it would stop the purchases. If that is what the right hon. Gentleman meant by local control, I am glad that no form of local control was given by the Bill. There are two possible things which hon. Gentlemen might try to show would be done by the *plébiscite*—one is that it might control the action of the Commissioners, but that I have shown to be illusory; and as to the other, a moral control against repudiation, the Committee have it on the authority of the hon. Member for West Belfast that such a control would not be exercised on the Commisssioners. I must again impress upon the Committee that this is not a fitting time to discuss the question of a *plébiscite.* There is no plan for a *plébiscite* before the Committee. I would suggest to the hon. Gentleman to put down any proposal he may desire to make in the form of a new clause, and then it could be discussed. Any discussion of the subject now would be only a waste of time.

(5.40.) MR. J. MORLEY: This may not be the most convenient time for discussing the subject, but the right hon. Gentleman must know that hon. Members take a very strong view about local control, and will naturally make use of every opportunity of expressing their desire for it. The Chief Secretary has intimated that local control could influence the Commissioners only if their salaries were affected. That shows that the right hon. Gentleman takes a lower view of the Land Commissioners than Members below the Gangway. I do not think that the Commissioners would be insensible to the expression of opinion of the locality concerned. As the Land Commissioners are about to be put on a new footing, it is all the more necessary to establish some form of popular control. It is not that we may get a moral control against repudiation that we insist upon popular control; but because it is essentially unjust that the resources of a locality should be pledged without the assent of the locality. When in 1889 the right hon. Gentleman laid another Bill on the Table of the House, what did he do? Did he go on the principle which he now proposes to act upon in regard to a far more important proposal in connection with land purchase? Certainly not. On the contrary, where a guarantee was necessary on the part of certain baronies or districts he provided that the responsibility should never fall on the barony until the assent of the ratepayers had been taken in manner required by the Bill. Surely if it were worth while to insist on the principle of popular control in so slight a matter, it is far more essential, when dealing with a much larger and more important proposal, that that principle should be enforced. Of course we would have a *plébiscite* rather than nothing, but we must all agree that the only effective form of popular control is the control of effective Local Bodies who shall ascertain beforehand whether or not the localities assent to the hypothecation.

(5.48.) MR. A. J. BALFOUR: It appears to me that the distinction which has been drawn by hon. Members as between the cash and contingent portions of the fund is a mockery, and so also would be the *plébiscite* taken at the beginning of the transaction.

MR. J. CHAMBERLAIN (Birmingham, W.): I understand that my hon. Friend the Member for West Belfast attributed to me the paternity of the proposal for the *plebiscite.* If so I can assure him that he is entirely mistaken. I have on several occasions, while this Bill has been under discussion, urged strongly my views in favour of real control by the local administration, and I may point out that both the right hon. Gentleman the Member for Newcastle and the right hon. Gentleman the Member for the Bridgeton Division of Glasgow have by their arguments also favoured some such local control, while they are not in favour of the particular proposition now before the Committee. What I have to say is that I do not accept this suggestion of a *plébiscite* as in any sense a substitute for a real local control. In the first place, a *plébiscite* such as has been suggested would give no real local control and would involve no responsibility on the part of the Local Authority. Then there remains the question: Will it give us any what he called moral security against repudiation? The right hon. Gentleman the Chief Secretary has pointed out that in no form have hon. Members seriously suggested that any such moral security would be afforded. I am really surprised that the hon. Gentleman the Member for West Belfast, with his practical acquaintance with the subject, should suggest that there should be at intervals a *plébiscite* taken on the question whether or not the cash guarantees should be suspended. How is that possible? Under the first *plébiscite* you may have had a decision as a result of which you may have used up a considerable portion of the contingent part of the Guarantee Fund. And, by a subsequent *plébiscite*, it may be decided that this portion shall not be used. But what is to become of that portion which has been used and for which the guarantee has already been exhausted?

Mr. SEXTON: The right hon. Gentleman entirely misapprehends my suggestion. The idea is to give the locality an opportunity, after a time, of suspending the operation of the Bill. But all the liabilities incurred under the authority of the first *plébiscite* would be accepted and have to be duly met.

Mr. J. CHAMBERLAIN: That shows the extreme inconvenience of discussing a proposition, the terms of which we have not before us. The hon. Member said nothing about providing for liabilities already incurred at the time of the suspension, which he suggests may take place some time after the Guarantee Fund had been drawn upon. Although the hon. Member for West Belfast may think he has by his proposal obtained a moral security, other hon. Members from Ireland may say that, as the locality had no sufficient option as to allowing the Bill to be enforced in the first instance, there is consequently no moral security. On both grounds, therefore—*i.e.*, that there is no real local control and no effective moral security—the proposal is worthless, and if it is pressed to a Division I shall vote against it.

*(5.52.) Mr. KNOX: When we vote in favour of the Amendment of the hon. Member for North Meath we do so with a view rather to the suggestion of the hon. Member for West Belfast. I think the hon. Member will admit that the form of his Amendment is not really applicable to a suspensory veto; it is only applicable to a veto taken once for all, either before the Bill commenced to operate or at some later stage before the contingent portion of the Guarantee Fund is involved. The Amendment really scarcely raises the question of a suspensory veto, which alone, as we think, is of no real value. It was designed before the hon. Member had any idea of a suspensory veto. Therefore, in supporting the Amendment, I do so not on account of its wording or apparent object, but for the indirect object which I gather from the speeches of the hon. Members for Cork and North Meath is involved in it. I take it that the hon. Members have adopted the idea of a suspensory veto which was first suggested by the hon. Member for West Belfast. I am glad to find that they have, for it is infinitely preferable to any other laid before the Committee; failing any direct control by a Local Representative Body. I think the Committee is greatly indebted to the right hon. Gentleman the Member for Bridgeton for having called us back from mere question of political ethics—a shadowy, if not shady subject—to the more practical question of what can be gained by a suspensory veto. I venture to think that the Chief Secretary misunderstood the advantages which we thought might be gained. If the prices were too high, or if the landlords in a given county would only sell at a price which the farmers of the county thought unsafe, surely the farmers of that county ought to be in a position to say there shall be no further sales until the landlords consent to more reasonable terms. We do not ask that the farmers should be able to enforce what terms they choose on the landlord; but we think they should be able to prevent sales on terms unsafe and unfair to the mass of the people in the county. That is one object in

putting forward the idea of a suspensory veto, and surely the hon. Member for South Tyrone, who is in favour of sales to the tenants at fair prices, will not oppose this Amendment.

*(5.57.) MR. T. W. RUSSELL (Tyrone, S.): The hon. Member has put the matter more plainly than did the right hon. Gentleman the Member for Bridgeton. I oppose all these schemes of local control, not because they are bad in theory, but because—to use the words of the right hon. Member for Newcastle —"things are as they are in Ireland." I oppose these schemes on the plain ground that it is proposed by them to put into the hands of one of the parties to a bargain the power of forcing terms upon the other party, giving them the right to regulate the price of land or stop the operation of the Bill.

(5.59.) MR. MAHONY: My hon. Friend the Member for West Cavan was slightly in error when he stated that I adopted the idea of a suspensory veto from the hon. Member for West Belfast. At an earlier stage of the proceedings in this Committee when we were discussing an Amendment by the right hon. Gentleman the Member for Newcastle I said, in alluding to the scheme of a *plébiscite* put forward by the right hon. Gentleman the Chief Secretary, that it would be greatly improved by allowing it to be revived after the Bill had been in operation for some time. It appears to me that the Committee have strayed from the vital point at issue, which is this: Under this Bill, about one-third, roughly speaking, of the tenant farmers in Ireland may be able to purchase, and the other two-thirds, together with the ratepayers of Ireland generally, will have their rates pledged in order to guarantee the payment by the purchasing farmers of their annuities, and that pledge is taken without their consent being asked. The Irish Members, or rather the vast majority of them, have not signified their consent to the rates being pledged; they deny that they are in a position to give consent, and it is only because the right hon. Gentleman has at his back a majority of English Members that he is able to impose this guarantee on the Irish people. We ask that before this guarantee is enforced in its worst form the Irish ratepayers should be allowed to express their assent or dissent. There is one point which I think the Committee do not appreciate, and it is this, that when we come to the contingent portion of the Guarantee Fund it cannot be drawn upon until the Lord Lieutenant has made a special levy on the taxpayers of the county. We want before that levy falls on them that they shall have an opportunity of expressing their assent or dissent. It has been stated that this will give them no control over the Land Commission. I do not propose by this Amendment to give them any such control; I only say that they should be allowed to exercise the *plébiscite* after they have had an opportunity of judging how the Act is working; and if they find the Land Commission, by not seeing there is sufficient security in the holdings for the amount advanced, are endangering the rates and property of the county, they may be able to suspend the further operation of the Act. I shall with that object press the Amendment to a Division.

(6.3.) The Committee divided:—Ayes 114; Noes 187.—(Div. List, No. 170.)

(6.16.) MR. SEXTON: It is provided in the clause that when a charge is made upon the contingent guarantee a notice shall be sent to that effect, and interest at 4 per cent. shall be paid from the date of the notice. I think it would be enough to pay a rate of interest equal to that at which the country can borrow. I move to reduce the interest to 2¾ per cent.

Amendment proposed, in page 4, line 17, to leave out "four," and insert "two and three quarters."—(*Mr. Sexton.*)

Question proposed, "That 'four' stand part of the Question."

MR. A. J. BALFOUR: The annuities, in respect of which the Guarantee Fund is to be called upon, have interest paid upon them; and if the Treasury are to meet all the charges that will be thrown upon them they must charge 4 per cent. I do not know whether it might not be possible to substitute 3¾ per cent.

MR. SEXTON: There is no reason why the interest should not be the same as is charged upon an annuity.

If the right hon. Gentleman will turn to Clause 1, Sub-section 3, he will find that where the Land Purchase Fund is insufficient there will be a temporary advance out of the Consolidated Fund.

MR. A. J. BALFOUR: Yes; I believe I was wrong.

(6.20.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): We must have some regard to the Consolidated Fund. It is, of course, impossible to say at what rate we may have to borrow, and it must be remembered that we are paying all the expense of the carrying out of the Act. If I may say so, I think the State is acting with extreme generosity, and I hardly think hon. Members ought to be desirous of cutting down the expenses.

MR. SEXTON: I do not wish to be too severe on the Consolidated Fund, but will the right hon. Gentleman consider who they are who have to pay this money. They are the people who have not been able to buy under the Act, and the shopkeepers and artisans who have no personal interest in land purchase. I am willing to meet the right hon. Gentleman quarter-way, and I would suggest 3 per cent., which will allow a substantial margin.

MR. FLYNN (Cork, N.): Surely the Consolidated Fund is not to be treated as if it were a bill-broker. The Chancellor of the Exchequer is surely not going to charge the unfortunate artisan or shopkeeper such a rate of interest as 4 per cent. The most that should be required is that the Consolidated Fund should be repaid the sum with the ordinary interest.

MR. GOSCHEN: Well, we will accept the compromise suggested.

Amendment, by leave, withdrawn.

Amendment proposed, in page 4, line 17, to leave out "four" and insert "three."—(*Mr. Sexton.*)

Agreed to.

Verbal Amendments agreed to.

(6.27.) MR. SEXTON: The next Amendment I have to move is one which I think the Government cannot hesitate to accept. If the Treasury give the Lord Lieutenant notice in May, there will be no Assizes till the following year, and the County Surveyor will not be able to pay the levy for a year. Under the clause as it stands it will be open to the Treasury, under such circumstances, to pounce on the Guarantee Fund and derange the whole Public Service of the country in regard to the most necessary and fundamental institutions. I do not suppose the Treasury would do this, but there is no reason why the clause should be left in such a condition that it will be possible to do it. The object of my Amendment is to give time for payment.

Amendment proposed,

In page 4, line 26, at end, to insert, "Provided that the Treasury shall not order any such payment to be made out of the contingent portion of the fund, until, at least, one week after the date appointed by the Lord Lieutenant in his requisition to the secretary of the grand jury of any county concerned, for payment by the county treasurer into the Local Taxation (Ireland) Account as hereinafter provided."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

(6.28.) MR. A. J. BALFOUR: I am not sure that the object of the hon. Gentleman would be carried out by this Amendment. Any money advanced by the Treasury will be paid for at the interest just agreed upon of 3 per cent., and they will have no motive for shortening the time during which the interest shall run. The mention of "one week," might be treated as a suggestion to be acted upon in all cases.

(6.30.) MR. SEXTON: I think there is some danger that with the guarantee so temptingly to hand, the Department may come down upon the money, and it is desirable that there should be some remedy provided for the danger, and against the Public Service being put to such inconvenience.

MR. A. J. BALFOUR: I do not think there is anything to be gained by it. As the hon. Gentleman is aware, the Treasury and the Chancellor of the Exchequer must act in harmony with the Irish Government in such matters, and the stopping of the various grants would not be governed by red tape, the action of officials would be subject to the responsible Parliamentary heads. I do not think there need be the least apprehension of the Treasury anticipating the time when the Guarantee Fund should be appropriated.

(6.31.) MR. T. M. HEALY: There should be something in the nature of a tribunal of appeal outside the Government Department to which the county to be mulcted might refer. The Treasury may make mistakes, and it would be safer to accept some such machinery as is suggested by my hon. Friend. At some stage of the proceedings there should be this appeal. The Lord Lieutenant will have nothing to do but order the payment, and the Grand Jury will have no option but must make the levy. From the Treasury in London through the Lord Lieutenant to the county there is a cast iron rigidity. This unfettered official power has done much mischief in Ireland. I hope the right hon. Gentleman will consider something in the nature of a reference to a body before whom arguments may be used, and representations made.

(6.32.) MR. SEXTON: Really the clause takes all discretion from the Treasury, it provides that the Treasury *shall* send the notice to the Lord Lieutenant, and tell him that by a certain date he must pay the sum necessary, and failing this payment the Treasury shall order such sum and interest to be paid to the Guarantee Fund out of the contingent portion of the fund. They must take it no matter how inconvenient for the Public Service. If the right hon. Gentleman will not accept this Amendment, which I think important, will he consent to a provision that the Treasury shall not name an earlier day than two months from the date of the next Assizes?

(6.33.) MR. A. J. BALFOUR: That suggestion is a reasonable one. It is the intention of the clause, and the object of the levy, to prevent the contingent guarantee being drawn upon, and if the Treasury were to go upon the guarantee before the levy was made, that object would be defeated. I do not conceive that any such course would be approved by the Treasury, but I am ready to introduce words to make that impossible. As to the suggestion that there should be some tribunal to act as buffer, I think it might be advisable, in regard to such questions as the partition of charges between counties and matters of that sort, that there should be an appeal to the absolute discretion of the Lord Lieutenant; but in the matter of the security of the Treasury, I do not think an appeal to the High Court or Privy Council would be right or proper. But as to the Treasury having no power to come upon the guarantee until the Lord Lieutenant has asked for the collection of the rate, I am quite prepared to accept such an Amendment.

Amendment, by leave, withdrawn.

(6.34.) MR. SEXTON: I have an Amendment to propose to the beginning of the next sub-section which does not appear on the Paper. The Chief Secretary surprised me when he said a compulsory presentment should never be confided to an Elective Authority. Why not, provided you vest in a Judge of Assize the power to make an order? It does not matter whether the Local Authority is elective or not, so long as you say the Judge of Assize has that power to make an order. There is no discernible principle in saying that an Elective Authority should not have the power to consider a presentment. There can be no harm in their having it before them, providing you guard the compulsory nature of the presentment by referring it in the last resort to the Judge of Assize. I dissent from the proposition that a purely elective body should not have this function, nor do I see any more difficulty in the proceeding than in the present system. In the remarks of the right hon. Gentleman I find the suggestion that even after the establishment of County Councils the Grand Jury may have to deal with presentments of this class. We have assumed that the fiscal functions of the Grand Jury will pass to the County Councils when these are constituted, and that the Grand Jury will be simply a body to deal with affairs of criminal administration. I now move my Amendment, in order to extract an opinion from the right hon. Gentleman whether he really means that after County Councils are established in Ireland the functions of the Grand Jury in relation to presentments of this class shall continue. I propose that the third sub-section shall apply only until County Government is established in Ireland, and this will be an indication that when the time comes for considering Local Government in Ireland, these fiscal functions should be drawn from the Grand Jury, and should devolve upon the County Council. I can see no reason why a presentment of this kind should be withheld from the view of an Elective Body, power to pass it being still with the Judge of Assize.

Amendment proposed,

In page 4, line 27, before the first word "The," to insert the words "Until otherwise provided by an Act for the extension of Local Government in Ireland."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

(6.37.) MR. A. J. BALFOUR: I understand the hon. Member moves this in order to elicit from me an explanation of a speech I made last night, and I have no objection to explain the words I used. I stated, and as I think truly, that if you are looking for an instrument to carry out a mandate you do not look in the direction of a Representative Body. In carrying out a compulsory presentment the Grand Jury act as a mere machine interposed between the mandate of the Judge and the levy of the tax; they have no discretion, they can offer no opinion, or at all events no opinion that would be considered by the Judge, they are merely the mechanism by which the tax is collected. Now, surely the hon. Gentleman will agree that if you are looking for such a machine you do not go to a Representative Body—the essence, the value, the virtue of which is that it can and does discuss and express opinions upon the matters before it. It is the very worst body in the world to act as an automatic machine between the fiat of the Judge and an administrative act. I therefore adhere to the general view I laid down last night, saying nothing of Local Government, but that you will not look to an Elective Body called into existence under it as the most proper machine to carry out business on which that Elective Body is not to be consulted at all. Whether it is proper or not to have a consultative body, or to allow consultation on these presentments, is a question I need not decide now, but I may observe that if you do allow such discussion and there is to be no decision issuing from it, it is but a vain exhibition of dialectical and oratorical skill.

MR. SEXTON: It might lead to a reform of the law, for instance.

MR. A. J. BALFOUR: That is to say that when an order is made under the Bill the Council may discuss it and act in such a manner as to compel an alteration of the law in regard to compulsory presentments?

MR. SEXTON: No.

MR. A. J. BALFOUR: It is not with such a view County Councils should be invested with these functions. There is a special convenience in leaving this matter to the Grand Jury, because they, in the ordinary course of business, have to meet the Judge in whom the compulsory power is vested. The Grand Jury meet the Judge of Assize, and act in concert with him, and if you take this duty from the Grand Jury then you must compel the County Council to meet the Judge, and make that body the passive instrument for carrying out an action of which they possibly may heartily disapprove. I cannot conceive how anyone anxious to give authority and dignity to County Councils can wish to invest them with this function of a Grand Jury which certainly will not add lustre to such a Representative Body.

(6.42.) MR. J. MORLEY: Surely when the right hon. Gentleman says there is no example of a compulsory levy being committed to a Representative Body he forgets one incident. I remember that in 1883 or 1884, after extra police had been sent into Limerick, an order was made upon the Corporation of that town to levy an extra rate to meet the expenses of this Force. The Lords Lieutenants of both parties found the greatest difficulty in getting that extra rate, and, as a matter of fact, it never was paid. That surely is an exact illustration of a compulsory order being made upon a Representative Body. It is not a very encouraging precedent I know, but it shows the kind of difficulty you will have to meet when you force upon a locality an extraordinary levy through a body which is not representative, and in every sense unpopular. I suppose the hon. Member for West Belfast wishes the Commiteee to insert this provision because he foresees the enormous difficulty that will beset these new County Councils when created, if this power is going to be entrusted to an outside body, as it were, over their heads. It is so obviously consistent with all we ought to expect in Representative Government that I support the Amendment.

(6.44.) MR. A. J. BALFOUR: The right hon. Gentleman appears to me to have given the most cogent argument against the Amendment when he cited the incident in regard to the City of Limerick. The Corporation of Limerick were ordered by *mandamus* to collect the extra police rate, and they did not do so. They refused to obey the law, and there was no power to compel them to do so; but if, under the existing law, the Grand Jury were ordered to levy a tax and did not do it the Judge would levy it for them.

MR. T. M. HEALY: No; he provides the presentment, that is all.

MR. A. J. BALFOUR: I am not an expert in these technicalities, and must leave my right hon. Friend (Mr. Madden) to explain details; but as we desire the Bill to be framed it would not be left to the discretion of the Grand Jury or any Local Authority whether the tax should be raised or not. If there were any such discretion the security for the Treasury provided in the Bill by the guarantee would become worthless. In the view of the framers of the Bill it should not be left to the Local Authority to determine whether the tax should be raised. It is to be raised independent of all local control, and the proceeds are to be paid to the contingent portion of the fund; or, rather, are to be used to prevent the contingent portion of the fund being touched. That could not be carried out if we adopted the precedent in the Limerick case, and if the Bill does that it must be amended. We believe the machinery of the Bill is adequate for the security, and the responsibility of the Grand Jury is that the tax shall be raised.

(6.46.) MR. T. M. HEALY: The right hon. Gentleman has been singularly unfortunate in his statements of law and statements of fact. There is nothing in this clause differing in any way from the ordinary case of a police rate levy.

MR. A. J. BALFOUR: Hear, hear!

MR. T. M. HEALY: Very well. Let me take the right hon. Gentleman's proposition. When you want the rate paid to whom do you issue a precept? In the case of Dublin, Limerick, Waterford, and other places, when you want your tax raised, how do you get it? How does the Government collect from Dublin nearly £60,000 a year for the Police Force? By precept on the Local Authority, in the very same way as that my hon. Friend the Member for West Belfast proposes. Similarly, in the City of Limerick, how is the extra police rate levied? By precept. In the County of Clare you make up £5,000 a yearfor a period of 10 years for extra police, and how is that £50,000 taken from the county? By precept. What is the case in England and for your School Boards here; how does the School Board collect its rates in English towns? It sends a precept to the Municipality, and the Local Municipality collects the rates. The right hon. Gentleman has a broad method of laying down a proposition which is all very well in philosophical writing, but in the House of Commons he should be a little more cautious. The method of raising the rate in Ireland has been in force since the Statute of William IV., and here is proposed no difference in principle though a difference in persons. We are asking nothing whatever from the right hon. Gentleman. His clause provides that the Lord Lieutenant should send to the Grand Jury a precept—for that is practically what it is—and if the Grand Jury do not act on that, action is taken by the Judge. Cannot the Lord Lieutenant and cannot the Judge proceed in the same manner whether the Local Authority is the Grand Jury or the County Council? Where is the difference in principle? Suppose the Grand Jury of the County of Limerick did what the Corporation of Limerick did, saying, "We do not care twopence for the fiat; it is only waste paper."

MR. A. J. BALFOUR: Hear, hear!

MR. T. M. HEALY: The right hon. Gentleman cheers that. Well, if it is treated as so much waste paper, what you want is machinery for collection; and the right hon. Gentleman says he will amend the Bill to prevent the action of the County of Limerick imitating the action of the Corporation of Limerick. Into what bog, what quagmire, has he now sprung? Will he set up in every city and county an Imperial means of collection? Will he sit at the receipt of custom, or are we to understand that, as Local Authorities are not to be trusted, some new scheme is to be developed under the Bill for collection by the Royal Irish Constabulary, in the same way as fines under Quarter Sessions and Petty Sessions convictions? Will he provide that the collection shall be made by the Constabulary, as in the case of the estreated recognizances of Messrs Dillon and O'Brien? Will the same easy and forcible method of collection be resorted to to make good cases of default under this Bill as is adopted in the case of persons who do not make their appearance before a Coercion Court? Will that carry out the intention of Her Majesty's Government? Under the present arrangements you make an order on the Grand Jury, and in any case the Judge's fiat will be required, and he hands that to the Treasurer of the Grand Jury, and the collectors have to collect. But are you going to set up two systems of local and Imperial collection? When you set up County Councils are you going to withhold from the control of those bodies the collection of rates? Are you going to have Grand Jury collectors and County Council collectors? When the new system of County Government is instituted, I cannot see how you can deny to the new authority control over the collection of the rates.

(6.52.) Mr. A. J. BALFOUR: There is a question of substance as well as of machinery on this point. The Bill should be so drawn that whatever may be the view of the Grand Jury or the successor to the Grand Jury, the County Council, or any other body, there should be no option for that body but to levy the rate in order to save the Guarantee Fund. That is what the Bill is intended to carry out and I believe will carry out now.

Mr. T. M. HEALY: The Amendment of my hon. Friend would leave the matter exactly where it was, with this difference, that it would express the view that after County Government is established in Ireland there should not be an Imperial rate collection and a local rate collection.

Mr. A. J. BALFOUR: In the Bill I introduced last year I contemplated the contingency which has been discussed this evening, and I then had a suspicion, or an idea crossed my mind that possibly the machinery of compulsory presentment under extraordinary circumstances might not be sufficient, and therefore I adopted a provision from the Crimes Act of right hon. Gentlemen opposite, the power of the Lord Lieutenant to levy a tax by his own machinery. Of course I do not intend to discuss the merits of that provision now, but if any hon. Member wishes to investigate it I refer him to Section 19 of the Crimes Act of 1882, and in Clause 14 he will see how it was embodied in the Bill of last year—this power to levy a penal rate. Practically the Lord Lieutenant was allowed to appoint his own collectors.

Mr. T. M. HEALY: A most wasteful system; it led to a scandalous waste of money.

Mr. A. J. BALFOUR: I trust the time may never come when such a power may have to be put into force, but in the opinion of right hon. Gentlemen opposite it was necessary to provide a special mode of collecting a tax, and this was embodied in their Act of 1882. It has been dropped out of the present Bill because I was advised that probably the existing ordinary means of presentment were sufficient, and also, because if hon. Gentlemen will look at the end of the sub-section we are discussing the Treasury is given a lien upon every rate collected by the Local Authority. This seemed to me a sufficient security, but if the result of this discussion is to excite a suspicion, that by the refusal of the Local Authority, whether County Council or Grand Jury to obey the mandate of the Judge, some difficulty will be thrown in the way of the collection of the tax, then I will carefully consider the subject with my right hon. and learned Friend the Attorney General for Ireland, and see whether it is advisable to re-introduce the provision in regard to this point which appeared in the Bill of last year.

(7.0.) Mr. SEXTON: The object with which I moved my Amendment was to give an indication, that when Local Government is extended to Ireland and County Councils are established, then this compulsory presentment should no longer remain with the Grand Jury. I am not contesting the power to be given to the Judge, and that power may remain in the hands of anyone with whom it is proper to deposit it, but I say the presentment should be in the first instance presented to the County Council; and though it is compulsory and may not be popular to the Council as the County Authority, it should be submitted.

Sir J. M'KENNA (Monaghan, S.): May I ask is it quite in order that we should now discuss the functions of County Councils not yet established, and is it not premature and useless to contemplate their possible position in respect to the machinery of this Bill?

(7.5.) The Committee divided:—Ayes 87; Noes 146.—(Div. List, No. 171.)

(7.19.) Mr. SEXTON: I now move to omit the words providing that a sum shall be raised—

"which upon any adjustment under this Act of a charge between the counties is charged against a county in excess of the share of the county in the cash portion of the Guarantee Fund."

There is no case to which these words can apply which is not covered by the earlier portions of the clause. The words mean nothing and correspond with no effect which could here arise. The share of the county in the cash portion of the Guarantee Fund has been taken away, and nothing remains that could be liable, but the share of the county in the contingent portion of the Guarantee Fund which has been dealt with elsewhere.

Amendment proposed, in page 4, to leave out lines 28, 29, and 30.—(*Mr. Sexton.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

(7.21.) Mr. A. J. BALFOUR: I think the words are necessary to meet the case of a mistake made before and not discovered until after the adjustment. The words were carefully considered, and I think our experience in off-hand drafting has not been particularly happy. I would suggest, therefore, that the words should be left unchanged. They will be much more likely to carry out the view we entertain than any words which could be suggested across the Table of the House.

Question put, and agreed to.

(7.22.) Mr. T. M. HEALY: I beg to move in page 4, line 31, after "upon," to insert "the poor rate of each Poor Law Union situate wholly or partly within." The object of this, with other Amendments consequent upon it, is to substitute the poor rate for the county cess in levying taxes on the counties under the Bill. The Amendments raise two points—first, the area of charge (with which I will deal later on), and, secondly, the divisibility of charge, which is the more immediate object of the present Amendment. As to the area, the right hon. Gentleman referred a short time ago to the "Blood Tax." That, of course, was a very infamous charge, but in the matter of delimitation, even the "Blood Tax" was more equitable than that of the right hon. Gentleman, for that was limited to the area immediately surrounding the spot where the murder was committed. The Lord Lieutenant, for instance, in the case of a murder committed at Youghal in the county of Cork, could draw a ring round the Barony in which Youghal is situated, and fix his tax on that division. In the case of the right hon. Gentleman's Bill, however, the tax must go over the entire county. As to the divisibility of the charge, since the Land Act of 1870, in every new tenancy it has been divided equally between owner and occupier, and it has been felt an enormous burden by the Irish people that not only are they prevented from having any representation on the Grand Jury, but that the gentlemen who assess the tax and the landlords of the county pay none of the rates. In the case of the poor rate it is entirely different. The poor rate was instituted long after the Grand Jury rate, the latter having been settled in the reign of William and the former in the reign of Victoria. When in the 30's or 40's the Legislature first began to consider the question of the poor rate it was thought only natural that it should be divided between the landlord and the occupier. Not only is the poor rate divisible between owner and occupier, but in cases of under £4 valuation it is payable by the landlord. It may be said that as the landlords have created all the poverty in Ireland, it is only fair that this should be so; but I do not think that when the provision was made the House of Commons was swayed by the sins of the landlords: it must have acted upon some general principle. The landlords form one-half of the Boards, the remaining half of those being elected. In the case of the county rate, the

Body which assesses it is selected by the Sheriff at his own sweet will, the Sheriff being in turn selected by the Lord Lieutenant. The Sheriff's practice is to take two men from each barony, and they fix what rates they please. The result used to be that whenever a landlord wanted an avenue made up to his house, or a road made round his domain, it was paid for out of the county rate. Lately a sharper look-out has been kept, and these things have been prevented. Up to 1870 the rate was payable solely by the occupier. In 1870 Parliament established an innovation whereby it was provided that in the case of every new tenancy half the rate should be borne by the owner and half by the occupier. This was the action taken by Parliament in dealing with the case of a new cess, and I challenge the Government to show me an instance in which a new cess, in the case of a Private Bill, unless it was a Railway Bill, was thrown on the county without being divided between the owner and the occupier. In the case of the Tramways (Ireland) Act, no doubt it is not so, technically, but it is, in fact, being divided between the Treasury and the tenant. The series of Amendments I have put down provide that the machinery of the Poor Law shall be employed for delimiting the area, and in addition they provide machinery whereby the rate is divisible between owner and occupier. The right hon. Gentleman the Chief Secretary says it is right that in towns like Lurgan, Kilkenny, and Waterford the ratepayers should provide their local contributions to the Guarantee Fund. That may be so, and I assume the right hon. Gentleman's proposition is correct, viewing the matter in the light of a system of insurance. But why are the landlords left out of this insurance? Why is this burden to fall on every labourer who pays his 1s. a week for his miserable cottage and on every artisan who for his fever stricken room in a town has to pay 4s. or 5s. a week, whilst the landlord escapes from it, although in the case of the poor rate, from which the labourer or the artisan may in his old age derive some advantage, the landlord has to pay half? If this were a Bill to provide £100,000,000 for the redemption of the landlords I could understand the action of the Government in throwing the entire charge on the county rate. But the Bill only provides £30,000,000, so that a large proportion of these gentlemen will still have to continue at their trade of rent-collecting and rack-renting. That being so, why should not those of the landlords who remain continue to be made to pay some amount of the county rate? I will give the strongest of all reasons for the proposition I make to the Committee. Probably if there is any strike against this new levy or against the repayment to the Treasury it will arise from some local agitation created by the tenants of some rack-renting landlord whom they have been unable to buy out because of his exorbitant demands. The sympathy that may be generated in the district may spread to the next locality, and the people there may be roused—I do not say it is likely—to repudiate for a year or half a year their re-payment of the purchase money. It is in my opinion desirable that the landlords should know that if there be repudiation they, as citizens of the country, will be as much interested in the question as the tenants. If the Government are unable to accept the poor rate as the rate from which the Treasury is to be recouped, at any rate let them adopt some system whereby the rate shall be divided between the owner, and the occupier. My Amendment would give the landlords a temptation to adopt the purchase policy. Local Government in Ireland is in such a defective condition that you must resort either to the machinery of the Poor Law or to that of the county.

Amendment proposed,

In page 4, line 31, after the word "upon," to insert the words "the poor rate of each Poor Law Union situate wholly or partly within."—(*Mr. T. M. Healy.*)

Question proposed, "That those words be there inserted."

(7.35.) MR. A. J. BALFOUR: It will be noted that, whatever else can be said against our scheme, it is not open to the objection that the discretion with regard to levying the rate is vested in a local, but non-representative body, because undoubtedly the rate will be levied at the discretion of the Treasury. Therefore, such objection as there may be to the Grand Jury on the ground that they are not elected falls to the ground.

MR. T. M. HEALY: I did not argue that point.

MR. A. J. BALFOUR: The hon. and learned Member dilated at considerable length on the injustice of giving power to levy rates to those who were not elected. However, if the hon. and learned Member does not urge that point, far be it from me to take up the time of the House with it. The hon. and learned Member said that before 1870 the rates were divided between the owner and the occupier. He must be aware that now nearly the whole of the county cess is levied not on the owner but on the occupier. The hon. and learned Member attempted to show that the framers of the Tramways (Ireland) Bill deliberately threw on the Treasury the rate that should have been borne by the landlord, but those who drafted that Bill are present in the House at this moment, and I should be surprised if they admitted that the reason why they burdened the Treasury was that the landlord should not bear a charge he ought to have borne. I will postpone my remarks on the point which I understand the hon. and learned Member proposes to raise by means of a subsequent Amendment. The hon. and learned Gentleman says that we should select, of the two rates we have to choose from in fixing upon our machinery, the Poor Law instead of the county cess. I have decidedly come to the conclusion that we ought to take the opposite course. In the first place, the area of the Poor Law election is a most inconvenient area, considering that the county at large will be the area charged, and besides that the hon. Gentleman must recollect that it is not a complete or accurate statement of the incidence of the poor rate to say it is divided between the owner and the occupier. In districts where almost all the holdings are below £4 the burden will fall almost entirely on the owner. The landlords do not escape, as the hon. Member appears to suppose; on the contrary, unless the default reaches a proportion which could only be caused by a general strike against payment the landlord would lose. If there should be a general strike against the payment of annuities, it would be part of an agrarian movement of which the landlords would not be the authors, and to make them the victims of such a conspiracy would be grossly unjust on the face of it. For these reasons I cannot consent to the proposal of the hon. Gentleman to transfer this tax from the county cess to the poor rate, of which the greater part is paid by those who would be the victims of such a conspiracy as would alone render it possible that the contingent portion of the fund should be touched.

*(7.45.) SIR G. TREVELYAN: Sir, in 1884 the Government to which I belonged brought in a Purchase Bill, the machinery of which nobody more than the right hon. Gentleman will confess was exceedingly well devised. It was that Bill which first put before the world the system of cheap and easy transfer of land, which has been embodied in subsequent land legislation. A conclusion arrived at in regard to that measure was that the guarantee ought to be on the county cess, and not on the poor rate. But under that Bill it was proposed that, seeing that both the landlord and tenant would benefit alike, the cess required to meet the deficiencies should be divided between the tenant and the owner. It likewise was stated in my speech introducing the Bill that it would be unjust that the district should be burdened with a liability which it had no voice in accepting, and provisions were introduced to make that voice effectual. I am certain that it would be possible to devise a county cess, and an hon. Member has an Amendment down which will carry out that object. The arguments of the right hon. Gentleman are not convincing as to the desirability of placing the entire responsibility on the tenant. Two great classes of the agricultural community are benefited by the measure, and the liabilities and the disagreeables of the measure ought to fall on both classes alike. I agree that the poor rate is in itself a cumbrous and awkward method of securing this joint liability, but I firmly believe that it is perfectly practical, as it is entirely just, to resort to the project of dividing the county cess.

(7.52.) MR. MACARTNEY (Antrim, N.): It is not accurate to state that the Grand Jury are not representative of the cesspayer. The Grand Jury, though not an elected body, consist in every county of the largest cesspayers, who are very often landlords. Therefore, under the clause at it stands, the landlords will bear a large proportion of the liability as cesspayers. I cannot imagine why they should bear the liability at all. The liability arises entirely on the part of the tenant. The hon. Member proposes to substitute the complex machinery of the Poor Law for the comparatively simple proposal of the Bill, which is drafted to meet the circumstances of each county separately, and to introduce the Poor Law element would be to complicate the whole matter. I cannot conceive on the ground of convenience why the House should for one moment assent to the Amendment of the hon. and learned Gentleman.

(7.55.) MR. T. M. HEALY: The object of the Amendment is to secure divisibility of rating between the owner and the occupier. The hon. and learned Gentleman states that the landlords are large cesspayers. Has he ever heard of a landlord named Clanricarde, in Galway? How much land has he in occupation? But that is only one case. The country is absenteed all over, and that is sufficient reason for saying that the landlords are not large cesspayers. I should be content to drop my proposal with regard to the Poor Law, if the Government will agree to adopt some limited area of charge. Why is the urban tenant to be saddled and the landlord to go free? Although the Amendment is not in the form in which I should prefer, I say its adoption would prove very advantageous, as I assert that under the Bill as it at present stands, it will be an enormous hardship (aggravated seriously in the case of urban tenants) to enforce payment of a rate as to the imposition of which the people have never been consulted.

(8.1.) MR. SEXTON: I submit with some confidence that it can be shown that principles of equity and public policy demand the adoption of the Amendment of my hon. Friend. This is not a mere question of machinery, and such a consideration ought not to be allowed to stand in the way. If it be desired to raise money by means of the poor rate instead of by means of the county cess, nothing could be easier than to make an adjustment between Poor Law Unions which overlap from one county into another. The real question is: Is it equitable or desirable as a matter of public policy that these burdens should be levied on the poor rate. Deal with it first as a matter of equity. Who is it that is asking for the Bill? It is not the tenants; it is the landlords, one-third of whom are in such financial straits that they cannot hold on without this relief.

MR. A. J. BALFOUR: I absolutely deny the accuracy of the assertion.

MR. SEXTON: Then, this is a most remarkable instance of the entire separation of cause and effect. I again assert that one-third of the Irish landlords are in a bad way financially. It is a most happy coincidence that while they are in that condition the Chief Secretary should take it into his head to introduce this Bill, which will help them out of their troubles, and enable them to sell their estates to their tenants. They have no other means of selling their estates.

MR. MACARTNEY: We do not want to.

MR. SEXTON: Whatever may be the case in Ulster, we know that in other parts of Ireland the landlords are simply panting to sell, while the tenants are not very eager to buy. Why, we know that in the North the London Companies and other great landlords simply rushed forward to avail themselves of the opportunity of selling under the Ashbourne Act. The Chief Secretary is now giving the Irish landlords a market for their land. It will be a great advantage to them without any corresponding advantage to the purchasing tenants. The benefit will be very slight to the latter; and seeing how enormous the advantage will be to the landlord, I say that in common equity the landlord should be asked to bear a share of any resulting liability. How can any reasonable man allege that it is tolerable to throw his liability on farmers who have paid their money to the State. Why, too, should it be thrown on persons living in towns? Why should all this be done for the sake of a fraction of a fraction? The purchasing farmers will constitute but a fraction of the whole body of farmers on whom, however, the liability is to be thrown. The only way to make this plan tolerable, would be to make any ultimate burden fall on the classes mainly concerned—the selling landlord and the purchasing tenant. The Chief Secretary said the land would suffer when the cash portion of the Guarantee Fund was appropriated in case of default. I think he went so far as to say that the loss would fall equally on the poor rate and the county cess.

MR. A. J. BALFOUR: What I said was that, as the Bill was now drawn, any loss will fall on a fund which is in part paid by the landlords.

MR. SEXTON: Yes, so far as they contribute to the poor rate; but while 500,000 or 600,000 tenants pay that rate, only 7,000 or 8,000 landlords have to contribute to it. No doubt, when the cash portion of the Guarantee Fund is drawn upon for the default, it means that the amount is withdrawn from the counties, and there has to be an increased levy, which falls upon the poor rates and upon the landlord; consequently, so far, he contributes to that rate. But he only has to pay in respect of holdings under £4 annual value, and such holdings constitute but one portion of the agricultural valuation. As a matter of fact, when the cash portion is come upon, the landlord will only suffer to the extent of one-fourth as against the payment by the tenants of three-fourths. Why should there be this disparity of treatment? Why should a distinction be drawn between the cash portion and the contingent portion? Will the Chief Secretary favour a proposal to establish a parity of treatment as between the two portions of this fund? Seeing that in the cash portion he divides the loss between landlord and tenant, will he do so with regard to the contingent portion? The right hon. Gentleman very often refers to an imaginary strike. He says that if ever there is a call upon the contingent fund it will be caused by a strike against the payment of the annuities. I am not so sure of that. He contends, however, that in such a case no liability should be thrown on the landlords. But is it not the fact that the landlords generally impose hard bargains on the tenants?

MR. MACARTNEY: They cannot do that under this Bill.

MR. SEXTON: Why not?

MR. MACARTNEY: The bargain will be imposed by the Land Commission.

MR. SEXTON: Not at all. The Land Commission will only have to make sure that the value of the landlord's and tenant's interest combined in the holding constitutes a sufficient security for the price charged for the land. I say that by placing any loss through default on the county cess the landlord will be deprived of any inducement to use his moral influence to secure the safe and sound working of the Bill. But if you make the landlords liable to some extent you give them a practical reason for using their influence to prevent hard bargains and to suggest to individual landlords that they should make fair terms with their tenants in order that this liability may not arise. I think the right hon. Gentleman would find that to be a very powerful beneficent influence. If he will establish a parity between the two funds I shall be willing to accept a suggestion that if the liability is thrown on the county cess all occupiers shall pay their share, and as to the "strike" argument I am willing to agree to the insertion of a provision to the effect that if the contingent fund be drawn upon by reason of default through a combination among the tenants against the payment of the annuities, the burden shall in that case fall on the county cess alone.

*(8.15.) MR. T. W. RUSSELL: I believe the majority of the occupiers in Donegal are under £4.

MR. T. M. HEALY: That is not so.

*MR. T. W. RUSSELL: I believe the major portion are, and if part of the burden is thrown on occupiers under £4 the landlords will be responsible for the payment, and those who have caused the default will go absolutely scot free.

MR. T. M. HEALY: We have already said we would assent to a suggestion that all occupiers should pay their share in case of default being made.

(8.16.) MR. A. J. BALFOUR: The hon. Gentleman seems to think that the treatment of this question depends upon the view whether this Bill was brought in to please the landlord or the tenant. Surely that is not a proper spirit in which to approach this Amendment. At any rate, it is necessary to make some observations on the arguments used by hon. Members opposite, especially as hon. Members are never tired of throwing these particular charges across the floor of the House whenever they wish an Amendment introduced into the Bill. I cannot conceive what foundation there is for the statement of the hon. Gentleman, which has been over and over again denied, that this Bill was introduced by the Government to please the landlords. If it had been, the Government would have failed in their object. The hon. Member for West Belfast asks what the tenants gain by it. If a farm is sold for 20 years' purchase, the tenant will obtain a reduction in his rent of 32 per cent.; but if a landlord sells at 17 years' purchase, he will receive Consols at 2¾ per cent., and for every £100 of income only £60.

Mr. T. M. HEALY: Why, then, does he sell?

Mr. A. J. BALFOUR: If the hon. Gentleman wishes to know why the landlords in the South of Ireland are anxious to sell, while the landlords in the North are not, I will tell him: it is because the tenants in the South do not pay their debts, and the tenants in the North do.

Mr. ILLINGWORTH (Bradford, W.): Will the right hon. Gentleman say upon what evidence he bases that assertion? What is the difference between the tenants North and South?

Mr. A. J. BALFOUR: Those in the North are a more sober lot. Those in the South, too, think it more convenient not to pay, but to wait for the time when they will be able to get their land for nothing. The tenant in the North prefers to meet his legal obligations, and is, as a consequence, anxious to buy. Many landlords in the South and West ask, "How can we escape from this country?" because they are being driven out by Members opposite. Those who contend that the landlords are the gainers ignore the whole history of the country for the last 10 years. The agrarian agitators make out that the landlords are debtors to the State; in my opinion, they are really creditors. I allow that the landlord ought not to escape some part of the responsibility of default by the purchasers; nor does he. Under the Bill the landlords bear, I believe, much more than their share of the responsibility. If there is to be default, it is likely to be on a scale of great magnitude, and then the landlords will have to bear their share of the loss of the Probate Duty grant, and, so far as they are occupiers as well as owners, they will have to bear half the county cess, and, above all, the whole of the fifth of the purchase money will be exhausted before the Contingent Fund is touched. I say, therefore, it is unfair to throw upon them the additional burden which would be imposed by the adoption of this Amendment. As to the suggestion of the hon. Gentleman, that he would be quite prepared to bring in a scheme by which the county cess would be divided, I may point out that in addition to the broad objection I have just mentioned, that proposal would throw upon us the burden of inventing a new and complicated assessment. We must, however, take the machinery as we find it.

Mr. T. M. HEALY: How about the urban landowners?

Mr. A. J. BALFOUR: Where will the hon. Member draw the line? Will he next try to get in the ground landlords? I must respectfully decline to burden a Bill already sufficiently large and controversial with any superfluous provisions.

(8.23.) Mr. MAHONY: The right hon. Gentleman has made a very confusing statement. He said that because the selling landlords had to deposit one-fifth of the purchase money as a guarantee, which fifth would be absorbed before a levy took place, they would have to contribute more than their share in case of default. The right hon. Gentleman forgets that only a very few tenants will be able to purchase under this Bill, and that a comparatively small number of landlords will sell. It is only those who sell who will thus contribute anything in the case of default, whereas you are asking contributions from the whole of the taxpayers of the country. Those taxpayers may be roughly divided into four different classes—landlords, tenants, agricultural labourers, and the urban populations. If you proposed to confine the assessment even to the tenants, it would be unjust, although they are the only people at all likely to join in a combination for the non-payment of the annuities, because there will be a number of tenants who will derive no benefit under the Act. It appears to me a monstrous thing to throw an extra tax like this on the taxpayers, and then refuse to divide it equally between all classes. You choose the county cess in preference to the poor rate, not because it is a more convenient tax to levy, but because it is not divided between occupier and landlord. In the year 1870 this House indicated its opinion that the county cess ought to be divided between landlord and tenant, and on subsequent occasions when this House has put an extra amount on the county cess it has specially directed that the extra levy shall be thus divided.

MR. A. J. BALFOUR: Not under the Act of 1883.

MR. MAHONY: I was specially referring to the Relief of Distress Act, 1880. I was also thinking of the guarantees given by Grand Juries in the case of railways. I know that in these cases the county cess is divisible between occupier and owner. In Section 14 of the Relief of Distress Act, 1880, there is a special provision for the levy on the county cess to be so divided. The Chief Secretary complained just now that he was asked to introduce into this Bill a cumbersome and complicated method of assessment. I say a sufficient method is already devised in the 14th section of the Act I have just referred to, that it is not cumbersome, and that it works without any difficulty whatsoever. It does not even require an additional ticket to be issued by the cess collector. I do not support that portion of the Amendment which would transfer the levy to the poor rate. I only support the principle that the levy should be divided between landlord and occupier, and I take it that that is the real object of the Amendment. The next Amendment on the Paper is in my name, and if I move it I shall propose to add to it these words—

> "Except and so far as that section provides, as regards holdings under £4 valuation the payment of the whole levy shall be by the owner or lessor."

I want to provide distinctly for a division between the owner and occupier. Is the Chief Secretary prepared to make any concession on this point? If so, he may save discussion on my next Amendment? (8.35.)

(9.1.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*(9.4.) MR. KNOX: The right hon. Gentleman the Chief Secretary, in a remarkable speech made half an hour ago, showed in a way we had never before sufficiently realised how great a benefactor he had been to the tenants of Ireland. We were under the impression derived from speeches we have heard from the Benches opposite that under the strict coercive *régime* of the right hon. Gentleman rents have been paid in Ireland; but we are told by the Chief Secretary that in the South and West the tenants do not pay their rents. If that be so, if the administration of the right hon. Gentleman has led to this practical result that the tenants do not pay any rents, then I fail to see the necessity for the Bill, for we have arrived at an ideal state of things in the South and West. We can now well understand the speech we read the other day on the text of "more power to the elbow of the right hon. Gentleman?" But I come to the practical parts of the speeches of the right hon. Gentleman and the hon. Member for South Tyrone, and we see that the Bill in this provision aims to do a great injustice to the tenants of Ireland. Throughout the argument of the Chief Secretary, he based his contention, that the landlords should not pay any part other than as occupiers of this rate, on the assertion that if you put half the liability on the landlords you would be removing the loss from the class who had caused the loss. The hon. Member for South Tyrone supposes, and perhaps he is right, that there is no loss which could fall upon the Contingent Guarantee except in case of general combination among purchasers. He argues that the landlords could not prevent that combination, and, therefore, they should not pay the loss. But could the other tenants prevent such a combination? It certainly could not have escaped the minds of the Chief Secretary and the hon. Member for South Tyrone that the tenant purchasers will have to bear the whole of the loss whether we adopt the poor rate or the county cess as the method of raising the money. In either case these men will

have to pay the whole of the loss. The hon. Member for South Tyrone said, and I daresay he is right so far as the number of tenants are concerned, that in Donegal the majority of holdings are under £4 valuation. But, in the first place, my hon. Friends the Members for West Belfast and for North Meath have admitted that, so far as tenancies under £4 are concerned, we are ready to waive the point; and though under the Poor Law they have to pay nothing, we say let them pay half. But suppose it were not so, it would not be the case, as the hon. Member for South Tyrone argued, that these tenants in Donegal under £4 valuation would bear none of the loss if this Amendment were accepted, because a large proportion of these tenants would have purchased their holdings under the Bill; and whether you take the county cess or the poor rate levy, the small tenants who have purchased will have to pay their share. I do not object to that. I only want to show that if these combine they will, in case of default, have to bear the whole burden. As between landlords who do not sell, and tenants who do not buy, the burden should be equally distributed. Surely the hon. Member for South Tyrone must know that in many counties there is a very deep feeling of discontent in consequence of extra taxation being levied by the county cess instead of being divided between landlord and tenant. The fact has been referred to that under the Tramways Act of 1883 the burden is not divided between landlord and tenant, and I suppose a very large number of the constituents of the hon. Member—I know many of my constituents do—think that it is a gross injustice that railways should be made under that Act simply for the advantage of landlords, while tenants provide the guarantee. This is a source of grave discontent, and threats have been made to combine against the payment of the county cess.

*Mr. T. W. RUSSELL: Not in Tyrone.

*Mr. KNOX: I know there is very great discontent there at the tenant farmers having to bear the whole of the burden under the Tramways Act. I have heard that they relied on the belief, vainly of course, that the Parliamentary efforts of the hon. Member for South Tyrone would be directed towards obtaining for them some relief from this burden; but I suppose, if they read an account of to-night's Debate, and find that the hon. Member is in favour of throwing this further burden on the tenants, they will consider whether, if they do not resort to combination, they should not adopt the still more painful step of getting rid of their present Member. Undoubtedly, there have been expressions of great discontent on account of injustice similar to this we are trying to prevent under this Bill. The right hon. Gentleman must see that when a tenant farmer has to pay two rates, one of which is divided and one is not, he must be painfully conscious of the injustice of throwing any fresh burden entirely on the rate of which he has to pay the whole. If it ever does come to pass that this levy has to be made, it will be found almost impossible to collect it. Under the light railways scheme the extra cess in part of my division amounts to 1s. in the £1; but under this Bill there may be an extra cess of 3s. in the £1 in the year, and I say it would be impossible for a Government to levy 3s. in the £1 extra cess if the burden is to fall entirely on the tenant farmer. Combination would inevitably arise against such injustice. I therefore ask the Government, as much in the interest of their own scheme as in the interest of justice, to consent to the Amendment of the hon. Member for Longford or to that of the hon. Member for North Meath, which stands next on the Paper, and make an equitable division of this rate between the landlords and tenants of Ireland.

(9.14.) Mr. FLYNN: The Amendment is of such a reasonable character that I cannot understand why the right hon. Gentleman should not accept it except on the principle that he will make no concession at all to hon. Members in this part of the House. Such appears to be the position we are drifting into, and we are forced to the conclusion that there is a determination on the part of the Government not to listen to Irish Members, though they speak with special knowledge of this subject. I invite the attention of the Committee to the words of the Chief Secretary in reference to this Amendment. He said that in framing the Bill he had to consider whether the levy should be thrown upon the poor rate or the county cess, and he decided upon the latter. So that it comes to this: that he, having so decided, the representations of Irish Members are to have no effect. Against this we protest, and shall continue to protest. I congratulate the hon. Member for South Tyrone on the dual *rôle* he assumes. Sent here as the tenant's representative, he poses as the landlord's advocate. He says a large portion of the county cess is already paid by landlords——

*MR. T. W. RUSSELL: I did not say so. I believe the hon. Member for South Antrim referred to that.

MR. FLYNN: I thought the hon. Member also assented to that proposition; but if I am mistaken, I withdraw the assertion. But whoever made the statement, I am sure that anyone who knows anything of Irish local taxation knows it is not the case that landlords pay any large share of the county cess. Where the landlord farms any portion of his land, he, of course, as occupier, pays the county cess upon that portion, but such portions form but a very small part of the whole property. I invite the attention of Ulster Members to the case of the London corporations. They are large landed proprietors, and they are trying to sell out under the Ashbourne Act, or they will sell out under this Act. They pay no county cess, and some of the London companies have even made their agent a present of his farm, and so they pay no cess whatever. Lord Egmont in my constituency has sold his property near Kanturk, on which he paid his share of the county cess, cut down the pretty plantations round the town, cleared himself from all obligations, and left the country. I fail to see how it can be pretended that landlords to any appreciable extent pay any portion of the county cess. Whatever unfairness there may be in regard to the valuations under £4 that can be met by the Amendment of the hon. Member for North Meath; and in regard to these small holdings in Donegal, Sligo, Galway, Mayo, and part of Kerry, the payment of poor rate has been taken into account by the landlord in fixing the rent. That there is a large amount of discontent because of the heavy burden of county cess there can be no doubt whatever. I am not competent to speak of Tyrone, but I know that such discontent does exist in Ulster and Munster, and in Kerry representations have been made to the Grand Jury that the extra rates make the local burdens intolerable. If, in addition, you impose this additional burden upon the occupiers it is very possible that this grave discontent will culminate into something still more grave. In times of difficulty and distress the tendency towards combined resistance to payment may lead to very serious consequences. Take the case of the tax for raising £1,000 for the widow of Constable Lee. It was levied, and I believe collected, but after fierce, and at times, bloody struggles, in which several persons were injured, and, I believe, it will be found that in many cases it cost £2 to recover £1. Do you propose to perpetuate this state of things, this possibility of scenes of disturbance all over the country? I am not sanguine about the matter, but I hope that under the Bill landlords may be reasonable, and the tenants may purchase at a fair price, and that there will be no necessity to call upon the guarantee at all, but we have to face the fact that in many cases under the more lenient Ashbourne Act tenants, under the pressure of arrears, high rents, and other causes, have been forced into contracts to purchase at a price the instalments of which they will probably be unable to keep up. If this state of things exists to any great extent in Ireland, as I greatly fear it may, then you will have these tenants who, by great exertions, manage to pay their annual instalments, burdened by the default of those who have failed to pay, and perhaps through no fault of their own, and thus causing more default. It is a most reasonable Amendment, and I am sure no Government would resist such a proposal from local Members if applied to a measure dealing with Wales or Scotland; but the habit of coercion for Ireland seems to encourage the Government to be deaf to the representations of Irish Members. We warn the Government that they are doing much to make this Bill inoperative, and they will make it a very dubious gift indeed to the Irish tenantry and the Irish people if they do not accept the Amendment. We are told that the Bill is more or less part of a scheme for the pacification of Ireland. Surely the landlords are as much interested in that as the tenants are, and they ought to pay their fair share of the burden instead of putting it all upon the people from whom they have already taken their full pound of flesh.

(9.26.) MR. CONYBEARE (Cornwall, Camborne): I do not think the Amendment is one that need trouble the minds of English Radicals. Reference has been made to the fact that the poor rate falls entirely, or is supposed to fall entirely, on the shoulders of the landlords in the case of holdings with a valuation of under £4. It is perfectly well-known, however, that in many cases the landlord takes very good care to shirk his responsibility, and to saddle his poorest tenants with a portion, at any rate, of the poor rate by consolidating holdings of under £4 so as to bring them up to £4. I know, as a fact, that this was done in the case of the Glenbay Estates, and I have no reason to suppose that other landlords do not adopt the same subterfuges and dodges to relieve themselves at the expense of their tenants. I would suggest to my hon. Friends to be very careful in adopting precautions to prevent landlords acting thus unjustly to the tenants, in case such a concession might be made as they ask for. But on broader grounds I should certainly be disposed to support the Amendment. It appears to me that the principle for which the Chief Secretary is contending is but another illustration of the extent to which the Government are willing to go for the purpose of relieving the landlords in every possible way. They are going directly against a very sound principle which I recollect was advocated in the Western part of England not many years ago by a very eminent financial authority. It was then explained that in any proposal for buying out the landlords it was very desirable that some hold should be maintained on the landlords, and that they should not be allowed to pocket the whole of their purchase-money at one stroke, and march off triumphantly to spend it in London or abroad, but should be compelled to have it spread over a number of years as a sort of rent-charge. The person by whom this principle was enforced and emphasised on the public platform was the right hon. Gentleman who now occupies the chair.

THE CHAIRMAN: I do not see the bearing of this on the question before the Committee.

MR. CONYBEARE: I was going to appeal to the right hon. Gentleman, not on personal grounds at all, but as a matter of financial soundness to consider whether in resisting the Amendment of my hon. Friend he is not going further than he ought to do in the direction of relieving the landlords of every possibility of loss. The right hon. Gentleman proceeded on another line of argument and he said—to do what is proposed by the Amendment would be to make landlords the victims of a conspiracy against the payment of the annuities in the Bill because, he said, he could not conceive the possibility of any risk of loss unless there were a general strike against the payment of what he called rent, but what is now, I suppose, to be called annuities. I would point out to the right hon. Gentleman that according to those who know far more about Ireland than he can possibly pretend to know, in spite of extended tours, he is, by refusing this Amendment, refusing that which would prevent a state of things likely to culminate in a conspiracy, and consequent risk to the British taxpayer. This imposition of a burden on the tenants to the exclusion almost entirely of the landlords will bring about such a feeling of discontent amongst these unfortunate people as will, in all probability, result in a determination not to pay this county cess. A more foolhardy course than that he is following it would be impossible for the right hon. Gentleman to adopt. I should have thought that with the warnings he has staring him in the face even a Minister more brave than the right hon. Gentleman would have paused before repudiating a suggestion such as that just now made. I hope the right hon. Gentleman will even yet see the error of his ways, and will agree to accept the proposal of the hon. Member for Longford.

(9.40.) The Committee divided:—Ayes 62; Noes 71.—(Div. List. No. 172.)

One of the Tellers made a communication to the Chairman.

MR. SEXTON: The hon. Member for South Down (Mr. M'Cartan) was engaged in writing when the Division was called, and did not hear the Question put. He voted in the "No" Lobby by mistake.

THE CHAIRMAN: In that case his vote ought to be disallowed, but the circumstance that the hon. Member did not hear the Question put should have been announced to me before the result of the Division was declared.

(9.50.) MR. MAHONY: I beg to move an Amendment to get rid of an objection which can be raised to the clause. I wish, in line 31, after "county," to insert—

> "Subject however to the provisions of Section 14 of the Relief of Distress (Ireland) Act, 1880, except in so far as that section provides, as regards holdings under £4 value, for the payment of the whole levy by the owner or lessor."

This subject has already been very largely debated on the last Amendment, therefore I propose to be very brief. I wish the right hon. Gentleman in this Amendment to address himself to the following points, which I think up to this he has avoided. The county cess in 1870 by an Act of this House was as regards all the future lettings divided equally between the owner and the occupier. When in 1880 under an Act for the relief of distress, this House threw an additional burden on the county cess which could not be contemplated in any agreement for tenancy previous to that date, it was especially enacted that any levy under the Act should be divided between the owner and occupier except in the case of holdings of under £4—which I propose to except. Now, I think that that shows the spirit in which this House has approached this matter of county cess up to the present time, that is to say, it has declared its belief that where there is no agreement to the contrary, and no lettings have taken place since 1870, the county cess shall be divided, and that even where there are agreements to the contrary, where the House has proposed fresh taxation which could not be foreseen at the time of the agreements, the county cess shall be divided between the owner and the occupier. Now, this House is going to throw a fresh burden on the taxpayers, and in no agreement previous to this can any tenant or landlord have foreseen the possibility of this fresh burden. Therefore, I say in justice you ought to enact that any levy under this Bill shall be equally divided between the owner and the occupier. I want to call the attention of the right hon. Gentleman the Chief Secretary to a matter which will show the injustice of the clause as it stands at present. As the clause stands you will have in Ireland two different cases of tenancy. You will have the majority of cases in which the county cess is generally paid by the owners, but you will have a smaller though a definite number of cases in which at the present moment the county cess is divided between the occupier and owner, and in these cases the levy under the clause will be divided between the occupier and the owner. Does not the Chief Secretary see that the clause will not bring relief to a very large number of tenants, and that its injustice will be clearly apparent? It will relieve some tenants. We imagine that they ought all to be relieved; but as it stands it will actually relieve some tenants from half the burden of this levy, while others, solely because their tenancies were created prior to 1870, or if created after 1870, because the parties entered into an agreement at a time when they could not foresee this Act, will have to bear the whole burden of the levy instead of half. These are the only points I will ask the Chief Secretary to answer. I will press the Amendment to a Division, because it places the matter in a distinct and definite manner before the Committee and does not interfere in any way with the area chosen by the Chief Secretary in substitution for the poor rate, but only asks the Committee to distribute the taxation equitably.

Amendment proposed,

> In page 4, line 31, after the word "county," to insert the words "subject however to the provisions of section fourteen of 'The Relief of Distress (Ireland) Act, 1880,' except in so far as that section provides as regards holdings under four pounds valuation for the payment of the whole levy by the owner or lessor."—(*Mr. Mahony.*)

Question proposed, "That those words be there inserted."

(9.56.) MR. A. J. BALFOUR: So far as I understand the hon. Gentleman his objection to the clause as it at present stands is based on the fact that under the Act of 1870 there are a certain number of holdings in Ireland in which the county cess is divided between owner and occupier. Then, says he, in the present instance, this new tax will bear unequally. In some cases it will be paid only by the occupier, and in other cases, half by the occupier and half by the owner. I do not deny that there is an inequality owing to the Act of 1870. All I can say is that it is a difference that affects very few persons, and that the inequality must exist whatever we do with regard to the Bill. The hon. Member seems to think that every cess imposed has been divided in past times. That is certainly not the case. We have already to-night discussed one of the most important examples of new cess—that levied under the Tramways Act of 1883. That cess, with very few exceptions, is entirely thrown on the occupiers. The same inequalities as those the hon. Member complains of exist in connection with the Public Works Loans Act. Though I admit that it is not altogether satisfactory to have these different methods of meting out loans to the Irish tenantry, it appears to me that the anomaly is not of a serious character and that it ought not to oblige us to adopt a principle which is not justified at all on grounds of equity. There does not appear to me to be anything new in the arguments the hon. Member has advanced. In the main I have dealt with his statement in a previous Amendment, and I would, therefore, venture to suggest that we should not waste time in further considering the question.

(10.0.) The Committee divided:—Ayes 64; Noes 79.—(Div. List, No. 173.)

(10.10.) Amendment proposed, in page 4, line 37, to leave out the words, "Without any previous provision at any presentment Sessions."—(*Mr. Sexton.*)

*(10.12.) MR. MADDEN: The Amendment would be entirely inconsistent with the ordinary mode of procedure in all cases of compulsory presentment, and the Government cannot accept the alteration that the hon. Member suggests.

Amendment, by leave, withdrawn.

Mr. A. J. Balfour

Amendment proposed, in page 4, line 41, to leave out "shall," and insert "may."—(*Mr. Sexton.*)

*(10.20.) MR. MADDEN: In cases of compulsory presentment it is usual to direct the Judge to *fiat* the presentment. The Government cannot accept the Amendment.

Amendment, by leave, withdrawn.

(10.21.) MR. SEXTON: I do not propose to move the next Amendment in my name, but I will the following one, in support of which two reasons may be urged. The Assizes at which the presentments are made are usually held in March and June, so that between the June presentment and the succeeding March there is an interval of nine months. It may well be imagined that at the end of that interval the Local Authorities have become hard up and stand much in need of the first fruits of the new levy, and if, no matter how late the presentments may be, you seize for Consolidated Fund purposes the first moneys that are collected, you run great danger of doing that which you say you have no desire to do, namely, crippling the Workhouse and Asylum Authorities. My other point is this: according to Grand Jury law in Ireland money raised under a presentment must be applied to the particular purpose named in the presentment, and if you take the first money that comes into the hands of the County Treasurer and alienate it to services other than that for which it is raised, the effect may be that the works named in the presentment may have to be postponed. The works in question may be in connection with Asylums or Industrial Schools, and most serious results might follow if they were postponed for half a year. A final reason in support of the Amendment may be found in the scheme of the Bill itself Under that scheme the Lord Lieutenant has to direct the county treasurer to pay the money over within two months after the cess is issued. Surely that is a sufficient provision, and it is not necessary to say it shall be paid out of the first moneys. I hope the Chief Secretary will rest content with that, and accept my Amendment.

Amendment proposed, in page 5, line 1, to leave out all after "shall," to "pay," in line 2.—(*Mr. Sexton.*)

(10.25.) MR. A. J. BALFOUR: An important light was thrown on this Amendment by a discussion earlier in the evening on an Amendment moved by the hon. and learned Member for North Longford. It was pointed out in the course of the discussion on that Amendment that the Government really had no greater power of getting money by these compulsory presentments than under an ordinary process. It is evident, if there is even the remotest truth in the allegation, that there is no security at all in the Bill as it at present stands, except that contained in the words to which the hon. Member objects. If the words are retained, it will be impossible for the county to escape paying the levy, as some taxes must be raised. If we rely on the ordinary form of presentment, we must have some clause of this kind to make it absolutely impossible for the county to escape paying. If this particular provision is not carried, then we must introduce some such clause as was contained in the Bill of last year, by which the Lord Lieutenant, if deprived by the Act of the county of the use of the ordinary machinery for levying taxes, was able to set in motion the machinery for that special object. I am reluctant to introduce into this Bill any such invidious and, to some extent, cumbrous mechanism. I therefore advise the Committee to retain these words, and to this conclusion I have been forced by the tenour of the Debate which occurred before dinner to-night.

(10.28.) MR. SEXTON: I do not see what bearing the Debate before dinner had upon this point. I fail to see how the words which the clause at present includes gives a more effectual grip on the county treasurer than the earlier words. If the treasurer has collected £1,000, and does not pay within two months, you can take action against him just as easily as if you retain these words. I notice the right hon. Gentleman avoids the question with regard to the presentment. I understand that by the Grand Jury Law in Ireland, when a County Authority raises money, it is obliged to apply the money collected under the presentment to the purpose named in the presentment. Now, if the first money collected is intended under the presentment to go to the industrial schools, and you take it to make up the default in the payment of annuities, I understand that, as the law now stands, the authority will be debarred from applying any sums subsequently collected to the school purposes, and the schools will have to suffer for want of funds until the next Assizes.

(10.30.) MR. A. J. BALFOUR: I understand the hon. Member's point to be, that the Lord Lieutenant under this clause will be able to take money for the payment of annuities which had been collected for industrial school purposes, and that it will not be possible to apply to the maintenance of industrial schools money subsequently collected for the payment of the annuities. I will ascertain if that interpretation of the law be accurate, and, if it is, care shall be taken that if money collected for industrial schools is taken for the purposes of this Act, other money collected for this Act shall be made applicable to the schools. With regard to the first portion of the hon. Member's reply, it is one thing to go to the county treasurer and say, "You must give me the money you have in your possession," but it is quite another thing to make a demand upon him when he has no money in his possession. That is the contingency against which we have to guard, and unless we take the precaution contained in these words, the levy to make up the default may never be collected, and the county treasurer will then never be able to hand the money over, for you cannot get blood out of a stone. But if it is made clear that whatever money is collected for the county may be taken for the purposes of this Act, then there will be no difficulty in making up the default. For that reason I would suggest that the Committee adhere to the words of the clause.

(10.33.) MR. KNOX: My hon. Friend's Amendment is supported on two grounds—one technical and the other of substance. The right hon. Gentleman has promised to inquire into the technical ground. I trust we may have the opinion of the Attorney General on the other point as well. I have examined this question somewhat carefully, and I find that there are cases where there is a compulsory levy on a Board of Poor Law Guardians, and a similar provision has been inserted to that which is inserted here, but I cannot find that there is any precedent in the case of a compulsory presentment upon a county for such a provision. I think hon. Members opposite will bear me out when I say that the system of presentments is probably one of the most cumbrous and technical systems of raising money in existence in any country in the world. It is hampered on all sides by most elaborate provisions, and I believe it is the case that if money is raised on a presentment it can be applied only to the particular purpose named in that presentment. What my hon. Friend wants is that industrial schools and other county matters shall not be kept waiting until a sufficient sum has been raised by county cess to pay for the treasurer's demands.

*(10.35.) MR. MADDEN: The hon. and learned Member is accurate in saying that the principle has not been applied to county cess, although it has been applied to the analogous case of Boards of Guardians. The system is, no doubt, a very complicated one, and I will see whether it is not possible to add words which shall make it clear that if money primarily raised for one purpose is diverted to the purposes of this Act, the fund from which it has been diverted shall be recouped from subsequent collections.

(10.37.) MR. FLYNN: My hon. Friend the Member for West Belfast has called attention not merely to the illegality of the presentment in its present form, but also to the injustice which may be caused. He enumerated two or three objects for which the presentment money might be required, but he omitted to state that the money in the hands of the county treasurer might be wanted for useful and necessary works and for expenditure already incurred. Men who have been engaged in the repair of roads and bridges will be wanting their wages, and yet they are to be kept out of their money in order to meet this special levy. The Bill is drastic enough in all conscience without importing into it this further injustice. I always understood wages were a first charge on the rates, and surely, in its greed and eagerness to grab every available copper, the Treasury will not commit this further injustice.

(10.39.) MR. MACARTNEY: I think that the point which has been raised by the hon. Gentleman opposite is not a substantial one; but if it is material, it may be met by the addition of the words "out of surplus funds in the treasurer's hands." The presentment which raises money for specific objects only relate to bridges and specific improvements of roads, and the large proportion of the expenditure is entirely met out of the surplus funds in the treasurer's hands. The addition of these words would make the clause impervious to criticism.

MR. A. J. BALFOUR: I think that the Amendment suggested by the hon. Member is worth considering. According to his experience, the greater part of the taxes for roads and industrial schools, and, indeed, for a very large proportion of the general county expenditure is collected *ad hoc*, while that collected for specific purposes bears to it a relatively insignificant proportion. Therefore, the suggestion might probably be carried out with advantage. If the Committee will allow me, I will see whether it cannot be carried out on the Report stage.

(10.42.) MR. SEXTON: It is a curious thing to see how the reception of an Amendment by the Chief Secretary depends upon the bench from which it comes. When it comes from these benches the right hon. Gentleman makes a conclusive speech against it; but when it comes from the other side, it immediately becomes very valuable in his eyes, and he promises to do everything he can to carry it out. My only desire is, that money collected for special services in a county shall not be diverted from those services. That is the suggestion of the hon. Member opposite, and it is the same as the one I made, and against which the right hon. Gentleman spoke definitely. However, as long as my purpose is served, I do not care from what quarter the Amendment comes. All I want is, that it shall be carried into effect.

(10.45.) MR. A. J. BALFOUR: The hon. Member is entirely wrong in supposing that his suggestion is the same, either in form or substance, as that which the hon. Member for South Antrim proposes; for under the one emanating from my hon. Friend the Treasury will still be able to secure payment of the special levy out of the first moneys received in respect of the presentment made at the Assizes, with the trifling exception of that allocated to one or two special purposes.

MR. SEXTON: Not trifling.

MR. A. J. BALFOUR: The hon. Member's Amendment would, on the other hand, put it out of the power of the Government to take any moneys at all.

MR. SEXTON: I am willing you should retain power to have it at the end of two months.

MR. A. J. BALFOUR: The difference between the two Amendments is great and vital. The hon. Member for West Belfast should be the last man to insinuate that the Government show any preference for Amendments suggested by their own supporters. I have systematically done my best to accept every suggestion of the hon. Member for West Belfast, even in cases where I did not approve of them, and it is, therefore, a most extraordinary statement to make that I have exhibited any partiality in accepting a single suggestion from a supporter of the Government.

(10.47.) COLONEL WARING (Down, N.): I may correct one statement made by the right hon. Gentleman. The money collected for specific purposes is not by any means an infinitesimal sum. It is money for roads, bridges, and other public works. The industrial schools, lunatic asylums, and other Public Institutions, are maintained out of surplus moneys in the treasurer's hand, and, generally speaking, the surplus funds are large, so that the treasurer would probably be able to discharge any demand made upon him. I hope the right hon. Gentleman will adhere to the clause as at present framed.

*(10.48.) MR. KNOX: There is another possible injustice to which no attention has been called. One barony may have paid its cess and another may not, with the result that the money having been seized by the Treasury the barony which has paid will suffer from the neglect of its roads and other public works.

(10.49.) MR. SEXTON: After the extremely conciliatory speech of the Chief Secretary, I ask to withdraw the Amendment.

Amendment, by leave, withdrawn.

Amendment proposed, in page 5, line 7, to leave out "and charged against," to "in such order," in line 8, inclusive.—(*Mr. Sexton.*)

Amendment agreed to.

Amendment proposed, in page 5, lines 13 and 14, to leave out "having regard to," and insert "in accordance with."—(*Mr. Sexton.*)

*MR. MADDEN: I will not oppose the Amendment if the words "as nearly as may be" are added.

Amendment agreed to.

Verbal Amendments agreed to.

*(10.54.) MR. KNOX: In the absence of my hon. Friend the Member for Longford (Mr. T. M. Healy), I beg to move the Amendment standing in his name, to insert "in Council, in the prescribed manner" after "Lord Lieutenant." Another Amendment stands immediately after it in my own name, having the same object in view, but reaching that object in a slightly different manner. The Government may urge that the decision of these questions may be of an administrative character. I think the right hon. Gentleman the Chief Secretary will probably agree that some sort of appeal should be given, and in the Amendment which stands in my own name I have adopted a provision which appeared in the English Local Government Act of 1888. Under the Local Government Act, 1888, for England, in Section 29, a similar method of decision to this I suggest was provided, and I think the framers of that Act probably had in their minds the fact that these questions would be questions in which administrative and judicial action would be so intermingled that it would be difficult to decide them according to the procedure of actions at law. It has been found that this proceeding has been exceedingly satisfactory. Counsel on either side have usually agreed as to facts, and the matter has been brought before the Court in a manner enabling the Court to decide with the least delay and difficulty. There is one other advantage. The right hon. Gentleman may probably say there ought not to be interminable appeals in these cases. The clause will only give one appeal from the Lord Lieutenant to the High Court, not from the High

Court to the Court of Appeal. In that way I have also followed the procedure which has been prescribed in the Local Government Act for England. It has been decided by the Court of Appeal in England that similar words in the section of that Act give no appeal to the Court of Appeal from the decision of the High Court. The right hon. Gentleman may point out that it is not in form an appeal from the decision of the Department, but in substance it is. As a matter of fact, I understand that the procedure is this: The Local Authority first consults the Local Government Board in England, the Board gives an opinion, and it is only when that opinion is unsatisfactory that it is found necessary to take the decision of the Court. Practically, and in all essential features, the procedure in the Local Government Act of 1888 will be followed under this Act. The form in which this proposal is made is somewhat vague, I know; but the matters that may arise, the many questions to decide are so various and so difficult to put in a form of words that it is well to leave it vague, leaving the Court to decide under rules what particular class of cases should come before it. I venture, therefore, to press upon the Attorney General that either the one or the other of these proposals should be inserted in the Bill.

Amendment proposed,

In page 5, line 33, to leave out "and his decision shall be final," and insert—"Provided that, if any county or local authority or person shall feel aggrieved by such determination, such county or local authority or person may apply to the High Court of Justice in Ireland in such summary manner as, subject to any rules of court, may be directed by the court; and the court, after hearing such parties, and taking such evidence (if any) as it thinks just, shall finally decide such question."—(*Mr. Knox*.)

*(10.59.) MR. MADDEN: This Amendment raises a question of great importance. A number of matters are left to be determined by some tribunal, and, following a usual course, these have been left to the determination of the Lord Lieutenant. I do not think the section in the Local Government Act to which the hon. Member refers is of any use as a precedent, for this reason—that the questions which by this Act may be carried up to the High Court are of a strictly legal nature, questions as to whether any business power or liability is, or is not, attached to a County Council or permitted under the Act—matters, in fact, of construction of the Act. The questions the Lord Lieutenant will have to decide under this Act will be more or less of an administrative character, and I think, on the whole, I would venture to advise the Government that the Privy Council, which is not an exclusively Legal Body, is the better tribunal. This, however, would not be effected by the adoption of the Amendment before the Committee, which leaves these questions to the decision of the Lord Lieutenant in Council. The action of the Lord Lieutenant in Council does not involve any Judicial decision of the Privy Council, but merely expresses the formal assent of the Privy Council. But these are points of detail. The Government are prepared to adopt the principle that the decision of the Lord Lieutenant shall not be final, and I am disposed to advise my right hon. Friend that the Privy Council might be with advantage adopted as the tribunal for the consideration of other than purely legal questions. If the hon. Member will withdraw his Amendment now, the matter shall be carefully considered with the object of giving effect to the principle I have mentioned.

(11.5.) MR. KNOX: I quite admit that the form of the Amendment may not be altogether satisfactory, but in regard to the procedure in the Local Government Act, though in form the questions arising for decision would seem to be chiefly of law, as a matter of fact they are questions in which law and administration are mingled. Of course, questions arise as to the construction of the Act, and so would such questions arise here, and questions such as I imagine under the English Act have to be decided. With great deference to the opinion of the Attorney General, probably, if he would consult the President of the Local Government Board as to the working of the section in the Act of 1888, it might be found that in some ways the procedure adopted under that section is more suitable to this case than an appeal to the Privy Council. The only objection I have to the suggestion the right hon. Gentleman has made is, that I should like somewhat more of a pledge that an appeal shall be given in all cases in which a person may feel aggrieved. I do not think it would be desirable, by the use of any form of words, to prevent an appeal in certain cases or to give it only in a certain class of cases. It is difficult to know beforehand what class of cases may arise and I therefore think an appeal should be given in all cases leaving the appellate power the means of dealing as all Courts do with frivolous cases. I should like the right hon. Gentleman to give a specific pledge that an appeal shall be given in all cases where a person or an authority feels aggrieved.

(11.8.) MR. MADDEN: The subsection to which the Amendment refers relates to a certain class of cases only—

> "Questions which arise as to the share of any County or other Local Authority in any fund or sum dealt with in this Act, or as to the rights or burdens of any County or Local Authority or persons in respect of payments out of the Guarantee Fund or the Local Taxation (Ireland) Account."

Without giving an absolute undertaking, I am prepared to say that these are cases in which there should be an appeal.

*(11.8.) MR. J. MORLEY: It is satisfactory that the right hon. Gentleman has admitted so much. It is perfectly clear under the clause that though questions, as to the share of a county, are questions of account, yet questions of principle may arise, and are inseparable from these questions of account on which it is proposed to grant an appeal. The decision of the Lord Lieutenant as to rates or burdens clearly might involve questions of large construction. I, therefore, hope that when the right hon. Gentleman puts his Amendment on the Paper it will be in a full and complete fashion.

Amendment, by leave, withdrawn.

(11.10.) MR. KNOX: The Amendment I now move is simply to provide that Returns shall be provided for the information of Parliament, and it is practically similar to the information which it has been agreed shall be furnished under Clause 1, the only difference being that I do not propose that the Returns shall be made more than once a year.

Amendment proposed, in page 5, line 33, at end, to add—

> (7.) "Returns shall be presented to Parliament in respect of every financial year, showing—
>
> (a.) What sums have been paid out of the cash portion of the Guarantee Fund to the Land Purchase Account or to the Consolidated Fund in respect of each county;
>
> (b.) What sums have been applied towards the cost of providing labourers' cottages in each county;
>
> (c.) What notices or orders have been given or made by the Treasury under this section;
>
> (d.) What requisitions have been sent by the Lord Lieutenant to the secretaries of Grand Juries under this section;
>
> (e.) What presentments have been made under this section;
>
> (f.) What regulations have been made by the Lord Lieutenant under this section;
>
> (g.) What questions have been determined by the Lord Lieutenant under this section, and how such questions have been determined."—(*Mr. Knox.*)

(11.11.) MR. A. J. BALFOUR: I have no objection to the fullest information being given to Parliament from time to time as to the working of the Act in all its important essentials, but from a drafting point of view I do not think it is well to load the Bill with an excessive amount of details to be made the subject of Returns. It is quite true we established a precedent in Clause 1, but I think it is an inconvenient method to adopt. I shall suggest on Report that the provision as to Returns shall be taken out of Clause 1 and inserted in a clause specially *ad hoc* determining what particulars shall be given in an annual Return. To stick at the end of each clause a long catalogue of items on which Parliament shall be informed will make the drafting of the Bill very cumbersome, and I venture to suggest that at the end of the Bill we should add a clause enumerating those particulars upon which it is desirable Parliament should be informed.

MR. KNOX: If the right hon. Gentleman will agree to the particulars which I ask being given, I have no objection to withdraw the Amendment, and I quite agree it will be better to have them all inserted in one clause.

MR. A. J. BALFOUR: I do not pledge myself or ask the hon. Member to defer his Amendment now. If he does not like my catalogue or wishes to add to it, of course he can raise any objection when the clause is moved.

Amendment, by leave, withdrawn.

Question put, "That Clause 4, as amended, stand part of the Bill."

(11.15.) The Committee divided:—Ayes 132; Noes 77.—(Div List, No. 174.)

Clause 5.

(11.25.) MR. J. MORLEY: This clause raises points which have exerted as much interest in many parts of Ireland as almost any portion of the Bill. This 5th clause purposes to enact that where an advance for the purchase of a holding is less than twenty times the annual value of the holding, then during the first five years, the annuity shall be 80 per cent. of such annual value. We have heard again and again that one of the main objects of this Bill is to reach those districts where the economical and agrarian conditions are difficult. The effect of this clause is to make every tenant pay for five years at the rate of 20 years' purchase. Though a tenant may have purchased for 10, 12 or 15 years' purchase, yet for five years certain, and possibly for an indefinite time at the will and discretion of the Lord Lieutenant, he will pay an annuity as great as though he had bought at 20 years' purchase. It comes to this, that for five years, and possibly for more he is to pay an annuity which is greater than the substantial annual value of the holding. If, for example, 15 years' purchase is the proper price, to make him pay 20 years' purchase is to make him pay, say, £8, where otherwise he would pay £5 or £6, or even £4, and therefore is to make him pay an amount greater than the substantial value of the holding. How do the tenants put the matter to themselves at this moment? That, after all, is the important thing from the point of view of the advocates of purchase. They say, "We are going to be compelled to pay for five years 8 per cent. instead of 4 per cent., which is the fair interest on the price." If a purchaser has come to terms at 10 years' purchase on a rent of £10 the price is £100, and the ordinary annuity will be £4, but under this provision for five years certain and for an indefinite time longer he will pay not £4, but £8. The new purchaser, therefore, will commence his new career under circumstances of exceptional difficulty. At the very outset it will affect his inclination to purchase, because by this provision the relief to be afforded to him will not be immediate nor substantial, but may be the very opposite of relief. There is another aspect of the question, which I hope the Chief Secretary will not refuse to consider. How will the Land Commissioners regard a security which is burdened for five or more years in the manner proposed in the clause? It is obvious that the likelihood of a tenant being able to meet his engagements will be impaired for as long a time as this additional burden is cast upon him. The Land Commissioners have constantly refused to sanction bargains on the basis of 12 or 15 years' purchase because they have held the security to be inadequate; *à fortiori* will the security be inadequate where the annuity is burdened for four or five years with this extra payment. The clause, I admit, will do no harm to the strong, comfortable tenant who can afford to pay for five years or more at the rate of 25 years' purchase, but the struggling tenant cannot afford to pay the extra price, and he will therefore be discouraged from entering into negotiations, and when he has entered into them may not be able to fulfil his bargain. Not to do more than enumerate the points, there is just one more. There can be no doubt, Ireland being what it is, that this provision lends itself very easily to evasion. I should think the Chief Secretary might have taken into account the temptation which this provision will hold out to evasion, that is to say, it will be easy for bargains to be made between landlord and tenant, which will baulk the Government of their Insurance Fund. Supposing the rent of a holding is £10, and the price agreed upon £100, then the normal annuity would be £4; but 80 per cent. of the annual value would be £8, and, therefore, for five years the purchaser will pay, not £4, the normal annuity, but £8—that is to say 8 per cent. for his money. But what may happen? The tenant may go to his landlord and say, "This is very hard upon me; to you it makes no difference. I am willing to pay you your price of £100, but why should you not reduce my annual value from £10 to £5?" What will the effect of that be? Why, the result will be that he will pay the 80 per cent. on £5, or £4, which will exactly equal the amount of the normal annuity under the original arrangement, and thus the Insurance Fund will not be benefited. The Chief Secretary and the Attorney General for Ireland will be able to follow this argument, and I submit that there is no answer to the proposition that the landlord without anything fraudulent on his part, putting no loss on himself, and not imperilling the security of the Exchequer, would be able by an arrangement of this kind to bring to nought this provision which I believe to be injurious to all that is best in the policy of the Bill. What is the object of this tenants' Insurance Fund? There is no such provision for insurance in the Ashbourne Act. The object of the Government can hardly be to improve the security, for that object cannot be gained by impoverishing the tenant at the very outset of his new arrangement. If you want to improve this security you ought to be content with what the Land Commission do now in cases where they are dissatisfied with the security of the holding—increase the amount of the landlord's deposit. If security were the object of the Government in making this provision that is what they would do. They would increase the amount of the guarantee deposit, or else they would enable the vendor to agree to do so as a substitute for this Insurance Fund. I do not believe that the object can be security. I think the object must have been to increase artificially the price. I do not wish to impute sinister objects to the right hon. Gentleman; but it is clear that landlords will be likely to get high rates of purchase—20 years or more—if, when tenants are hesitating whether they can pay the stipulated sum or not, the landlords can point to tenants who have purchased on neighbouring estates, and who are paying at the rate of 20 years' purchase. Another point which calls for remark is that the annual value in Ireland is often unreal, for there are estates where the rents as put down in the books have not been paid for six or seven years, and are merely nominal. By taking as one basis of calculation in these purchase arrangements a value which is merely a book rent, and by multiplying it, as this clause proposes to do, you will impose a great hardship upon the would-be purchasers, and so baulk the operation of the Bill. I will not detain the Committee longer. I have put my objection to the clause as briefly as I could; but I submit that there is no clause in the Bill which is sure to baulk the object which the Chief Secretary has avowed as his main purpose, and no clause which is more likely to cause confusion.

Amendment proposed, to leave out Sub-section 1.—(*Mr. J. Morley.*)

Question proposed, "That the word 'Where' stand part of the Clause."

(11.40.) MR. A. J. BALFOUR: I will endeavour to deal briefly with the important statement of objection just made by the right hon. Gentleman. I am sorry that in introducing a speech otherwise purely argumentative he should have suggested that the provision in question was introduced with a view to artificially raising the price of land.

MR. J. MORLEY: I was careful to say that I could find no other explanation for it. I did not impute any sinister motive to the right hon. Gentleman.

MR. A. J. BALFOUR: I am ready to accept that explanation. I do not say that the right hon. Gentleman imputed a sinister motive, but that he found a provision in the Bill which he could only account for by an imputation which I should regard as sinister, because it suggests that our desire is to raise the price of the commodity which we profess to wish to see fixed by natural arrangement between those who desire to buy and those who desire to sell. But what plausibility is there for such an extraordinary suggestion on the part of the right hon. Gentleman? The whole tenour of his argument against this sub-section, and the whole tenour of every argument I have ever heard against it, is that the tenants will be made much less desirous of buying owing to the fact that during the first five years at least after the purchase they will be obliged to pay 10, 20, perhaps even 30 per cent., more than if they had bought under the provisions of Lord Ashbourne's Act. Did anyone ever before hear of an accusation being brought against anybody of desiring to raise the price of a commodity, and endeavouring to effect that object by rendering the buyers less desirous of buying? Is it not clear that if the provision had the effect which is attributed to it, and which I, to a certain extent, admit, of making the Irish tenant less anxious to become the owner of his holding than he otherwise would be, the result would be not to artificially raise the price of land, but to diminish it artificially? If there is any ground of complaint in this it rests not with the tenants, but with the landlords, who see the market value of their property reduced. So much for that part of the right hon. Gentleman's speech, which I gladly put aside, because it was not in harmony with the general tenour of his argument, which was characterised by great moderation. A more forcible point urged by the right hon. Gentleman was that the clause would conduce to collusion between landlord and tenant in order to get the rents lowered, but there are judicial rents, and it is clear that those cannot be altered by private arrangement. It is conceivable that such collusion might occur in the case of holdings of which the rents are not judicially fixed, but I will consider whether it would not be easy to introduce words to enable the Land Commission to take cognizance of any colourable fraud of that kind, and by which the objection of the right hon. Gentleman can effectually be met. The main objection of the right hon. Gentleman to the subsection is that it will be operative, and not inoperative, but his argument was entirely founded on fallacy. He supposes that the tenant will be always considering what is the capital value of his holding. I do not believe that anyone acquainted with the Irish tenant really is of opinion that that is the mode in which he will look at this transaction. What the tenant will look to is not the capital transaction, but the transaction as far as the interest on that capital is concerned; the amount of annuity which he will henceforth have to pay as compared with the rent he has had hitherto to pay. If this is true, what becomes of the sense of injustice and loss which the right hon. Gentleman attributes to the Irish tenant? At the very worst under this section the Irish tenant will save at least 20 per cent. on his former payments, less the amount of county cess or poor rate, which is estimated by the right hon. Gentleman the Member for the Bridgeton Division at about 7 per cent. The saving to the Irish tenant would thus be 13 per cent. [*Laughter.*] Hon. Members may regard it as an insignificant amount, but after all it is a larger amount than has stood between the landlords and the tenants in those internecine quarrels which have had such a disturbing influence upon Ireland during the last few years. On most of the Plan of Campaign estates on which the most acrimonious controversies have existed between the landlords and the tenants, the difference that has so widely separated the respective combatants has been something less than the amount now sneered at by the hon. Gentlemen opposite. So much for the statement that the tenants will feel themselves aggrieved. Now I come to the question of the securities, and I have always brought forward this proposal as one which increases the security. The right hon. Gentleman says it will diminish the security, and he talked as if this was a kind of additional burden thrown upon the holdings, but surely the Committee will see that the reverse is the fact. Let us take the case of a small holding in the West of Ireland, where probably the price of land would be small, and the tenant's insurance would, therefore, be relatively large, and let us ask ourselves what would happen. If you sold under the Ashbourne Act the tenant would, no doubt, get an advantage of say, 40 per cent. off judicial rent. In good years he would have the full advantage of that 40 per cent.; he would, no doubt, spend it all. Bad years would come—and recollect you are working and must work with the tenant's insurance on an automatic and rigid mathematical system. When bad years come, as come they would, the tenants would have nothing in hand to meet the payments, the Land Commissioners would have to proceed against the defaulters, the tenants would be evicted and the holdings would be sold. But take the case of insurance under the clause as it stands. The tenant gets a reduction of, let us say, 13 per cent. in his rent. During the first five years he is not allowed to get more than that unless misfortune happens to him. In ordinary years he is obliged to pay an amount to the Land Commission decidedly less than he ever had to pay to his landlord; a sum of money out of his instalments is annually laid by; a bad year comes, he cannot meet his engagements—he cannot pay his annuity and falls into arrear with the Land Commission. Well, the Land Commission do not find themselves in the invidious position of the Commissioners under the Ashbourne Act. They are not obliged to evict, but may say to the tenant, "We have saved up on your account 20 per cent. of your annuity during the first five years of your tenancy, and with that we now relieve you from the consequences of your misfortune and will set you on your legs again. You may have to pay a little more for the first two or three years to bring up the insurance to the original point, and as soon as that is done you will be able to go on in your holding paying a less amount than you would have done under the Ashbourne Act in consequence of the interest which has been accummulating on your deposit." Which of these two systems would be the easier to work and would throw the higher burden on the Land Commission and this House? I must say I listen with astonishment to hon. Gentlemen who at one time go about talking of the English taxpayer and the English Exchequer involving the Irish tenant in hardship, and then come down and refuse to accept a provision which, more than any other provision in the Bill, will probably diminish the necessity for harsh eviction. Then I must point out the extraordinary inconsistency between the argument just used by the right hon. Gentleman and those with which I am overwhelmed by hon. Gentlemen who sit around him. In earlier Debates those hon. Gentlemen told me there was inequality between the annuities paid by the purchasing tenant, and the rent paid to the landlords would cause the Bill to conduce not to public order, but to public disorder. I have always felt, and I feel still, that there is force in that objection. The right hon. Gentleman the Member for Derby urged this very argument against the Bill of last year. It is to obviate this danger that the provision in the Bill now under discussion has been inserted, and I shall look with greater misgiving to the working of the measure if such provision, which is in the interest of social order, of the security of the State, and of conciliation and fairness to the tenant were omitted.

(11.52.) Committee report Progress; to sit again upon Monday next.

MAIL SHIPS BILL.—(No. 168.)

As amended, further considered.

Amendment proposed, in page 5, line 17, to leave out the word "any," and insert the word "that."—(*Sir J. Fergusson.*)

Question proposed, "That the word 'any' stand part of the Bill."

Debate arising;

It being Midnight, the Debate stood adjourned.

Debate to be resumed upon Monday next.

PAYMENT OF MEMBERS BILL.
(No. 83.)

Order for Second Reading read and discharged.

Bill withdrawn.

TRAMWAYS (IRELAND) ACT (1860) AMENDMENT BILL.—(No. 160.)

Considered in Committee.

(In the Committee.)

Clause 1.

Question proposed, "That Clause 1 stand part of the Bill."

Committee report Progress; to sit again upon Monday next.

MOTIONS.

STAMP DUTIES BILL.

On Motion of Mr. Chancellor of the Exchequer, Bill to consolidate the enactments granting and relating to the Stamp Duties upon Instruments and certain other enactments relating to Stamp Duties, ordered to be brought in by Mr. Chancellor of the Exchequer, Mr. Jackson, and Mr. Solicitor General.

Bill presented, and read first time. [Bill 304.]

STAMP DUTIES MANAGEMENT BILL.

On Motion of Mr. Chancellor of the Exchequer, Bill to consolidate the Law relating to the Management of Stamp Duties, ordered to be brought in by Mr. Chancellor of the Exchequer, Mr. Jackson, and Mr. Solicitor General.

Bill presented, and read first time. [Bill 305.]

CORK (COUNTY AND CITY) COURT HOUSES BILL.

On Motion of Mr. Attorney General for Ireland, Bill to facilitate the rebuilding of the Court Houses for the County of Cork and City of Cork; and for other purposes, ordered to be brought in by Mr. Attorney General for Ireland and Mr. Arthur Balfour.

Bill presented, and read first time. [Bill 306.]

PUBLIC HEALTH (LONDON) LAW AMENDMENT AND LAW CONSOLIDATION BILLS.

Ordered, That it be an Instruction to the Standing Committee on Law, &c., that they have power to consolidate the Public Health (London) Law Amendment Bill and the Public Health (London) Law Consolidation Bill into one Bill.—(*Mr. Ritchie.*)

PRIVATE BILL PROCEDURE (SCOTLAND) BILL.—(No. 114.)

Reported from the Select Committee: Special Report brought up, and read.

Report to lie upon the Table, and to be printed. (No. 216.)

Minutes of Proceedings to be printed. (No. 216.)

Bill re-committed to a Committee of the whole House for Monday, 11th May, and to be printed. (Bill 307.)

MR. HALLEY STEWART AND MR. MAHONY.

On the Motion for Adjournment,

(12.13.) MR. HALLEY STEWART (Lincolnshire, Spalding): I ask the indulgence of the House while I reply to a statement made in my absence at the opening of the proceedings this afternoon. Immediately on arriving at the House I was handed a letter by the doorkeeper, in which the hon. Member for North Meath requested my attendance during Question time, as he intended to make certain references to me. I inquired of the doorkeeper when the letter was handed in, and found that it was given to the doorkeeper during Question time. That is scarcely giving the notice to which I think I was entitled, seeing that I was to be drawn into a personal controversy with another hon. Member. The hon. Member for North Meath, in his statement to the House, challenged directly the correctness of a charge made against him; he declared to be absolutely incorrect and misleading the report of his words, and also asserted that what he said was said privately. I challenge both those assertions. The conversation was not private, and the statement that was repeated was in substance and in essence, if not verbally, correct. There was no seal of secrecy whatever on the conversation, and that this was so is shown by the fact that the hon. Member now admits that he did not say anything to imply that the words he was speaking were private, or carried with them any injunction to or suggestion of secrecy. Secondly, these words, which are alleged to be private, were used in the presence of another Member of this House—namely, the hon. Member for the Wansbeck Division, who will corroborate me in this particular as to the words not having been spoken privately, that they were unsolicited, and were uttered in friendly controversy. Thirdly, I have to say that the words were spoken in a discussion as to the hon. Member's political action, and as to what ought to be my action at the present time. The conversation took place in the Dining Room in what I may call comparative publicity, and no suggestion was made that it was under the seal of privacy or secrecy. Surely no man need be ashamed of reasons which lead him to identify himself with a particular Party. The words were used by the hon. Member as an argument to induce me to break off a connection I have formed with political friends. The hon. Member has given an explanation of what he said. The words he used were—

> "You would cut off your right hand rather than be identified with a Party which is supported by men like the Irish priests."

Those are the very words used. I frankly admit that the hon. Member did not say he referred to the whole body of the priests—on the other hand, he did not limit his words to a section. He spoke of the priests as priests. There is no desire to amplify the scope of the hon. Member's remarks. I think, judging from the hon. Member's explanation of what he said, *i.e.*, that if hon. Members realised the nature and extent of the connection between this House and the priests they would not be so ready to identify themselves with hon. Members who rely on that connection—that he still continues to hold the same view although he does not express it with such graphic terms as when conversing with me personally. I have no desire to accentuate any division between Members of this House. I hope the House will not think I have unduly trespassed on its attention in thus attempting to justify myself, but I thought it necessary to reply to the statements of the hon. Member that the conversation was inaccurately repeated, and that it was private. It has been accurately repeated, and was not private.

(12.17.) MR. MAHONY (Meath, N.): I do not intend to trouble the House at any length. I agree with the hon. Member that I did not ask him to regard the conversation as private. All I did to-night was to express surprise that any conversation taking place in the dining-room or in any other portion of the House where hon. Members meet one another socially should be published in the newspapers. As regards the difference of recollection between the hon. Member and myself, I do not desire to enter into a dispute with the hon. Member. I am absolutely certain in my own mind that I gave the substance of what I actually said. The hon. Member says the version I have given this evening is identical in meaning with the report in the Press. For myself I see a very great difference. He does not; I am perfectly content that his version shall go before the House and the public and that the matter shall rest where it is. The House had a statement from the hon. Member for the Spalding Division, and it has has had my own statement.

(12.19.) DR. TANNER (Cork Co., Mid): I fell rather ashamed that an Irish Protestant Member should have been guilty of such conduct of the hon. Gentleman.

MR. HALLEY STEWART: I should like to know whether I am expected to give corroboration—the corroboration of the hon. Member for the Wansbeck Division of Northumberland, who is now in his place.

MR. T. M. HEALY: This is most interesting; I hope that, as the hon Member for North Meath has laid down a canon that everything said in this House is to be held sacred, that rule will be applied not only in this House, but in other houses, and also in hovels and castles. I suppose Hawarden is a castle, and we may expect that statements made there and elsewhere will in future be considered to have been made under the seal of secrecy, and will be respected accordingly, especially when those statements are made—not casually, but by one man as a Statesman and the depository of public confidence to another man who occupies a representative position. The horror which the hon. Member has expressed at finding his conversations here reported reflects great credit upon him, and I hope the hon. Member will take the earliest opportunity of communicating the shock he has felt to his distinguished leader the Member for Cork.

House adjourned at twenty minutes after Twelve o'clock, till Monday next.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CCCLII:

FOURTH VOLUME OF SESSION 1890-91.

Explanation of the Abbreviations.

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When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

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- An Instruction to Com. that proposes to substitute a new tribunal for that proposed in a Bill, when the House on the 2R. rejected an Amendment embodying a similar proposal, cannot be moved *April* 9, 155
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A Motion with an Amendt. moved as an Amendt. to Motion for going into Com. of Supply, which becomes an adjourned Debate in consequence of the lapse of time, stands thus :—On a Division all the words of the Motion that the Speaker do now leave the Chair were negatived, except the first word "That"; the words of the Amendt. to the Motion for Supply were added, and this Motion then became the Substantive Question. As the House passed no definite decision either on the first Amendt. as a Substantive Question, or upon the Amendt. which was moved as an addition to the Substantive Question, on coming to the Order the Speaker would have again to propose the Question—the Substantive Res. and the Amendt. which has been moved to it—and if the Amendt. be carried, the Speaker would have to put the whole Res. with the addendum attached to it; and then the House must express its opinion upon the Substantive Motion amended by the addendum, or, if the addition of the words be negatived, on the Motion alone. If Supply is taken on Monday or on Thursday the Speaker would not be able to propose the Question on the Res., but would be obliged to leave the Chair without Question put. On Friday the Speaker would have to put, not the Question on the Amendt. to the Motion for going into Com. of Supply, but the Question that the Speaker do now leave the Chair, upon which the Amendts. on the Paper specially put down for Friday would take precedence of any other Amendt. But it would be open to the Government to offer facilities for treating the subject as a Motion, and by giving that Motion a place among the Orders of the Day on a Government night *April* 13, 384

A Member may move either that the Con. of certain new Standing Orders be postponed for this Session, or the Adjournment of the Debate; but the Motion for the Adjournment must confine the Debate to the Question of Adjournment; an Amendt. to omit certain lines of the new Standing Order would be sufficient, and an issue might be raised upon it *April* 22, 1080

A Res. that applies to the whole United Kingdom—there being four Bills before the House dealing with the matter embodied in the Res. and the one Bill for England, withdrawn to enable a Member to proceed with his Motion. The terms of the Res. should be confined to England. That would not only obviate every objection on the ground of anticipation, but the Motion would not prejudice the other Bills *April* 28, 1637

SUPPLY

There is nothing in the Standing Orders to show that if Supply is not placed first it ought be placed second on a Friday. The Standing Order XI. has been superseded by the Res. passed giving precedence to the Irish Land Bill over all Orders of the Day and Notices of Motions. If Supply had been put second, there being no effective Supply down, the only result would have been that the Government would put off Supply as soon as that Order was reached. Friday is a Government night, subject only to the limitation of Supply standing *first*. If Supply could be got out of the way, the Government would take the other Orders of the Day. On a Tuesday the case is different. Precedence would be given to the Land Bill; and if the proceedings thereon came to an end before 12 o'clock, private Members would re-enter into their rights. Notices would be next taken, the precedence being given only for that particular Government Order. The Standing Order XI. is virtually a repeal, or a suspension, so often as the Land Bill is appointed on Friday. Otherwise Supply would stand first, and the Speaker would have to propose the Question, "That the Speaker now leave the Chair," on which private Members' Motions would come on, and then the Res. to give precedence to the said Bill would be rendered inoperative and ineffective. When precedence is given to particular business, it implies the suspension of the Standing Orders ordinarily regulating the course of business *May* 1, 1854

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